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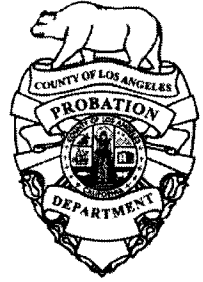


ROBERT B. TAYLOR
Chief Probation Officer

COUNTY OF LOS ANGELES PROBATION DEPARTMENT

9150 EAST IMPERIAL HIGHWAY — DOWNEY, CALIFORNIA 90242

(562) 940-2501



August 20, 2007

TO: Each Supervisor

FROM: Robert B. Taylor *Robert B. Taylor*
Chief Probation Officer

SUBJECT: **DEVELOPMENT OF COMPREHENSIVE EDUCATION REFORM PLAN
FOR JUVENILE HALLS & CAMPS – INITIAL 60-DAY STATUS REPORT**

On June 19, 2007, on motion of Supervisor Knabe, as amended by Supervisor Antonovich, the Board instructed the Chief Probation Officer, in collaboration with the Los Angeles County Superintendent of Schools, Los Angeles County Board of Education, Probation Commission, County Librarian, Director of Mental Health, Children's Planning Council, the Chief Executive Officer, and the Los Angeles County Education Coordinating Council to:

- 1) Develop a comprehensive plan to dramatically reform education programs in the County's juvenile halls and probation camps, including an exploration of the feasibility of charter schools and other innovative models of education, i.e., the expansion and enhancement of vocational schools and partnerships with community colleges, and
- 2) Report back to the Board every 60 days as to the progress.

PROGRESS STATUS OVERVIEW

This is our initial 60-day status report covering mid-June 2007 through mid-August 2007. During this period, I have chaired two working committee meetings where representatives from the agencies identified above were in attendance. A representative from The Resources Company (TRC), our Evidence-Based Practices (EBP) consultant agency, has also been participating in the meetings. At our second meeting, TRC provided the group an EBP overview with a focus on Camp Redesign and the need to reduce criminogenic needs in order to reduce recidivism. The presentation was very informative in terms of where our Department is headed and was much appreciated by the group.

As indicated below, we have had significant discussion of the existing problems and the need to identify effective alternatives to the current delivery of education services to the minors in our camps and halls. Overall, there is consensus regarding the need for systemic education reform, while recognizing the need for continued improvement or investment in other key areas, i.e., prevention and mental health services. However, our primary focus will be education reform in order to address this motion.

1st MEETING HIGHLIGHTS

On July 23, 2007, we held our initial meeting with the working committee. Consistent with the Board motion, our overview focused on the need for education reform to improve the lives of probationers as the current results are unacceptable. We indicated that it is time for significant change by improving education standards through:

- Increased literacy;
- Improved test scores; and
- Better overall academic achievement

Although there are many factors that contribute to a minor entering the probation system, I believe that there are three spheres that influence a minor's future: 1) parents; 2) peers; and 3) education. It is the group's desire to significantly improve the quality of education provided to minors and achieve the best possible outcomes. It was pointed out that even a small measure of success would be a new beginning to improved service delivery. Consistent with EBP, we communicated that we are interested in identifying the most effective approach utilized by school districts in educating minors.

Various problems were identified including those indicated below, and we asked each participant how they could assist in this effort in support of the motion.

- Need to assess and properly diagnose minors' needs – we now know that minimally, 33% - 40% of our minors have special education needs.
- Consistent with EBP, need to place minors in appropriate programs based on their needs.
- Need to ensure basic literacy skills are provided.
- Need to ensure everyone fully understands case planning.
- There was a request that we not only look at education, but at all other services delivered by the multiple agencies involved.

- There is a critical need for assuring the development of an Individualized Learning Plan (ILP) for all minors, and an Individualized Education Plan (IEP) for minors who have special education needs.
- There is insufficient parent involvement or participation. We also need to educate parents to ensure they are aware that it is their right for their child to return to the school district of origin.
- Need to have staff stability and minimize attrition in our camp operations by making camp a career path – currently, in general, entry level staff begin at the halls, progress onto camps, and then to the field operations, where there are significantly more DPO II promotional opportunities. Consequently, there is an increasing need for additional Deputy Probation Officer IIs budgeted positions in the camps to promote a better relationship between minors and staff.
- There are insufficient coordinated efforts in the community.
- Need a single individual dedicated to follow the minor upon exiting the probation system to provide aftercare services; therefore, commit to providing a continuum of services.
- Data information sharing and overcoming any barriers will be key to effectively address this motion;
- The Gang Alternative Prevention Program (GAPP) provided cities with the opportunity to contract with the Probation Department for alternatives to help troubled youth and their parents by providing close supervision and counseling to minors who are in danger of becoming involved in serious crime. The Gang Resistance Education Training (GREAT) is another successful program. Unfortunately, these programs were curtailed or are not adequately funded.

Since as a result of implementing our Camp Redesign, we will be keeping minors longer in camps, from an average length of stay of three months to six months, we will have a better opportunity to positively impact the needs of a minor, including education services provided.

We briefly discussed the potential options that we will be exploring:

- Charter Schools;
- Vocational Schools (existing programs, i.e., Youth Opportunity Movement);
- Creative Partnerships with Community Colleges; and
- Green Dot Public Schools

2nd MEETING HIGHLIGHTS

On August 10, 2007, we held our second meeting with the working committee. In general, the focus of this meeting was to provide an overview of where our Department is and what we were doing as an organization regarding our programs and practices. In particular, TRC provided an overview of EBP and its nexus to Camp Redesign and the needs of our minors. In recognition of the importance of EBP, we need to partner with all key stakeholders and get the EBP concept and principles as close to the community as possible.

NEXT STEPS

Our next meeting is scheduled for August 30 at 9:30 a.m. at our Headquarters in Downey and will begin a discussion on education options. In exploring the piloting of charter schools at our female camps, Scott and Scudder, our next meeting will include representatives from two agencies -- the Green Dot Public Schools and New Visions Foundation, two charter school operators who will discuss their ideas and experiences with the group.

Because of the nature of the subject and a common goal for dependent and delinquent youth, to raise education achievement, we have also extended an invitation to the Department of Children and Family Services who intends to have a representative attend our next meeting. We have also invited Judge Nash to make a presentation either at this or an upcoming meeting, regarding the Court's expectations of education services provided. I have requested LACOE to provide the committee with information on what they are doing and what they are planning. In general, we plan to cover the following at our next meeting:

- Where are we?
- Where are we going?
- How do we get there?
- Once we get there, how did we do?
- What can we do to improve outcomes?

In addition, we have asked a former school superintendent with extensive expertise in educational needs to assist us, potentially on a contractual, sole-source basis, with developing specific recommendations and outcomes to implement significant education reform for our minors. Unless otherwise instructed, we will begin to prepare a sole source contract within the next couple of weeks for these services.

Each Supervisor
August 20, 2007
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We will continue to provide 60-day reports and intend to provide your Board with recommendations within the next six to nine months.

Please contact me if you have any questions or if additional information is necessary, or your staff may contact David M. Davies, Chief Deputy, Probation at (562) 940-2511

RBT:dn

c: Michael Nash, Presiding Judge, Juvenile Court
William T Fujioka, Chief Executive Officer
Doyle Campbell, Deputy Chief Executive Officer
Sachi A. Hamai, Executive Officer, Board of Supervisors
Raymond G. Fortner, Jr., County Counsel
Dr. Darline P. Robles, Superintendent, Los Angeles County Office of Education
Rudell S. Freer, President, Los Angeles County Board of Education
Gabriella Holt, President, Probation Commission
Margaret Todd, County Librarian
Dr. Marvin J. Southard, Director, Department of Mental Health
Cheryl Mendoza, Executive Director, Children's Planning Council
Jose Huizar, Chair, Los Angeles County Education Coordinating Council
Judy Hammond, Public Information Officer
Trish Ploehn, Director, Children and Family Services



ROBERT B. TAYLOR
Chief Probation Officer

COUNTY OF LOS ANGELES PROBATION DEPARTMENT

9150 EAST IMPERIAL HIGHWAY — DOWNEY, CALIFORNIA 90242

(562) 940-2501



October 19, 2007

TO: Each Supervisor

FROM: Robert B. Taylor *Robert B. Taylor*
Chief Probation Officer

SUBJECT: **DEVELOPMENT OF COMPREHENSIVE EDUCATION REFORM PLAN
FOR JUVENILE HALLS & CAMPS – SECOND PROGRESS REPORT**

Pursuant to your Board's June 19, 2007 instruction, this is our Second 60-Day Progress Report covering mid-August 2007 through mid-October 2007, regarding the development of a comprehensive plan to dramatically reform education programs in the County's juvenile halls and probation camps.

My Department continues to work on this endeavor with representatives from the various departments and agencies identified by your Board (i.e., the Los Angeles County Superintendent of Schools, the Los Angeles County Board of Education, Probation Commission, County Librarian, Director of Mental Health, Children's Planning Council, Chief Executive Officer, and the Los Angeles County Education Coordinating Council). We have also added representatives from other departments or agencies that we deemed appropriate and that expressed an interest in this effort (i.e., the Juvenile Court, Department of Children and Family Services, and Youth Law Center).

This report provides an overview of the work and presentations conducted at our various Education Reform Committee meetings held during this period.

PROGRESS STATUS OVERVIEW

During this reporting period, I have chaired four Committee meetings that have served to create constructive open discussions and to begin developing a consensus on the need to improve the education services provided to the minors in our juvenile camps and halls, while establishing the foundation for a growing interest from individuals and agencies to continue working in support of this education reform effort.

To date, our Committee meetings have focused on developing an understanding of:

- 1) Charter schools as an alternative education option (i.e., New Visions Foundation);
- 2) The Juvenile Court's expectations of education service delivery;
- 3) Alternative education programs offered by various school districts (i.e., Pomona, Los Angeles, and Chino Valley Unified School Districts) for at-risk and delinquent youth; and
- 4) Treatment and education programs offered by several community-based organizations (Youth Opportunity Movement and Boys Republic residential and day treatment programs).

Our Department's primary goal is to increase public safety through reduced recidivism and to effect positive behavioral change among probationers. We also believe it is essential to improve educational standards and outcomes for probation youth, so that they are fully equipped to perform capably whether they leave camp to finish high school, go on to college, or join the workforce.

3rd MEETING HIGHLIGHTS

On August 30, 2007, we held our third meeting with the Committee. Our focus was exploring alternative education programs through charter school programs. We invited Mr. Paul F. Cummins, the Executive Director of the New Visions Foundation, to provide the Committee an overview of charter school programs. Among others, the Foundation has established St. Anne's charter school, a residential program, for pregnant girls.

4th MEETING HIGHLIGHTS

On September 13, 2007, we held our fourth meeting with the Committee. Our focus was on the Juvenile Court's expectations of education service delivery. We invited Judge Michael Nash and Referee Sherri Sobel to provide an overview of a remarkable handbook prepared by Ms. Sobel entitled "Bench Book for Education Issues in Dependency and Delinquency Courts" which emphasizes that the Courts have an affirmative duty to get the needs of youth addressed. A key point was that whether youth are in the dependency or delinquency system, youth in our Court schools need to be provided the same opportunity to access education services as any other youth. The handbook contains an education checklist in which judges and affected agencies need to be asking about each youth in order to understand the education needs of youth. The key individuals need to understand youths' issues, accurately report them to the Court, and the Court needs to order the appropriate action.

Youth need to be linked with the best services possible; we need assistance from their families; we need to report the issues to the Court, and work with the Courts and attorneys to see what assistance can be provided. Therefore, we must do a better job of assessing youth needs, providing them with appropriate services, reporting issues to

the Court, and requesting necessary actions from the Court. EBP treatment, education and mental health services all need to be provided based on comprehensive assessments and individual case plans, including Individual Educational Plans (IEPs) for youth with learning disabilities and/or special education needs as well as Individual Learning Plans (ILPs) for all other youth.

The ideal educational structure for at-risk and delinquent youth was described as:

- Teaching in small classes;
- Separating youth into classes according to their reading and math levels;
- Providing education services through private provider(s) that have expertise in education and special education and are willing to start with the basics;
- Linking youth and their families with community resources;
- Including families in the design and implementation of education plans of their youth;
- Linking parents with resources and providing resources, if necessary; and
- Basing case plans on risk and needs assessments developed by multi-disciplinary teams and incorporating an aftercare component before youth leave the camp system.

Many at-risk and delinquent youth have limited English language proficiency; we clearly need to address this barrier. We should take advantage of the "time-out" for youth while they are in camp to change the way they think and act and ensure they have a solid academic foundation. Overall, everyone on the Committee agrees that youth should be the focal point of services with each youth having proper assessments and a case plan that involves needed EBP treatment, educational, and mental health services.

5th MEETING HIGHLIGHTS

On October 3, 2007, we held our fifth meeting with the Committee, which received two presentations. First, the Pomona Unified School District provided a presentation of their education programs. The District offers a Student Assistance Program that involves a core team consisting of a counselor, a teacher, and an administrator at each school. A case manager contacts a youth's family to find out what type of programs are needed, which school youth should go back to, reviews school credits, etc. Support groups are also available and provide an array of services including substance abuse prevention, anger management, etc.

In addition, connecting with community-based organizations is a major component to the success of Pomona Unified School District programs. The focus is on those minors who have a higher need and work closely with youth in their neighborhoods, and thus, do not send youth to other communities. Multi-disciplinary assessments are conducted. The combined program actions have resulted in decreasing suspensions and

expulsions by 25% each while increasing referrals to the Student Assistance Program and other programs by 25%.

Second, the Youth Opportunity Movement provided a presentation highlighting the following key elements of their programs:

- Working very closely with neighborhood schools;
- Releasing students from camp to go through L.A. Trade Tech;
- Looking for ways to increase student retention; and
- Helping youth go on to college.

In addition, the Committee was advised that the Probation Department has created multiple strategic planning working groups and have tentatively identified the following four education-related outcomes for reporting with the Department's dashboard reporting system, beginning in January 2008:

- 1) Number/percentage of eligible juveniles that complete high school diploma by completion of probation;
- 2) Number/percentage of eligible juveniles that obtain their G.E.D. by completion of probation;
- 3) Number/percentage of eligible juveniles that successfully enroll in a vocational education program by completion of probation; and
- 4) Number/percentage of eligible juveniles that successfully enroll in a two or four-year college by completion of probation.

6th MEETING HIGHLIGHTS

On October 18, 2007, we held our sixth meeting with the Committee, which received two presentations. First, the Los Angeles Unified School District (LAUSD) presented information regarding:

- Alternative pathways for juvenile education (www.myfuturedecision.org);
- Its relatively new dropout prevention and recovery program;
- Its recent collaboration with LACOE on electronic data exchange of education records for Probation youth; and
- Its hiring of 4 counselors and 9 parent advocacy unit (PAU) staff to help direct at-risk and delinquent youth into appropriate educational pathways.

The LAUSD presentation generated a very productive Committee discussion about the importance of using multidisciplinary teams (MDTs) comprised of Probation, education, and mental health staff to work with youth, their families, and community-based organizations on the development and implementation of a unified case plan for youth leaving juvenile camps.

Second, the Boys Republic summarized its residential program for 150 Boys in Chino Hills and its day treatment program for 20 youth in Monrovia, especially its:

- Comprehensive high school;
- Achievement of the types of education outcomes as indicated on page 4;
- Tracking of youth after leaving the residential program (9-month stays);
- Emphasis on developing five key work habits that are good predictors of youth being able to obtain and maintain gainful employment;
- Use of guided group interaction to address some criminogenic needs; and
- Workability program for youth with learning disabilities and/or special education needs.

Some Committee members will be touring the Boys Republic facility to identify protocols and techniques that might be applied in the Department's juvenile camps.

COMMITTEE FINDINGS & OBSERVATIONS

We have begun to develop a draft matrix of education issues for the group's review and discussion at our next two meetings:

- At our October 31st meeting, LACOE representatives will present proposed plans for addressing many of the issues raised in the Committee meetings. This will begin the "next steps" process of developing recommendations to be included in the Committee report to your Board.
- At our November 14th meeting, we hope to establish enough of a consensus so that our staff and consultants, with help volunteered from the Children's Planning Council, can prepare a preliminary draft report for the Committee to review and discuss at its December 3rd meeting.

We have selected a former school superintendent who has extensive expertise in educational reforms to assist us with developing specific recommendations and action plans for consideration by your Board.

We will continue to provide 60-day progress reports and intend to provide your Board with a comprehensive plan and recommendations within the next 3-4 months.

Please contact me if you have any questions or require additional information, or your staff may contact David M. Davies, Chief Deputy, Probation at (562) 940-2511.

RBT:dn

- c: Michael Nash, Presiding Judge, Juvenile Court
- William T Fujioka, Chief Executive Officer
- Doyle Campbell, Deputy Chief Executive Officer
- Sachi A. Hamai, Executive Officer, Board of Supervisors
- Raymond G. Fortner, Jr., County Counsel
- Dr. Darline P. Robles, Superintendent, Los Angeles County Office of Education
- Rudell S. Freer, President, Los Angeles County Board of Education
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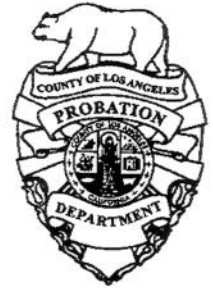


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Chief Probation Officer

COUNTY OF LOS ANGELES PROBATION DEPARTMENT


9150 EAST IMPERIAL HIGHWAY — DOWNEY, CALIFORNIA 90242

(562) 940-2501



December 17, 2007

TO: Each Supervisor

FROM: 
Robert B. Taylor
Chief Probation Officer

SUBJECT: **DEVELOPMENT OF COMPREHENSIVE EDUCATION REFORM PLAN
FOR JUVENILE HALLS & CAMPS – THIRD PROGRESS REPORT**

Pursuant to your Board's June 19, 2007 instruction, this is our Third 60-Day Progress Report covering mid-October 2007 through mid-December 2007, regarding the development of a comprehensive plan to dramatically reform education programs in the County's juvenile halls and probation camps.

My Department continues to work on this endeavor with the Los Angeles County Superintendent of Schools and representatives from the various departments and agencies identified by your Board and additional key stakeholders from other departments or agencies that we deemed appropriate and that expressed an interest in this effort.

This report provides an overview of the work, presentations, and site visits conducted as part of our various Education Reform Committee meetings held during this period.

PROGRESS STATUS OVERVIEW

During this reporting period, I chaired three Committee meetings, for a total of nine Committee meetings held thus far. These Committee meetings continue to create constructive open discussions regarding ways to improve education services that we provide to the minors in our juvenile camps and halls. In addition, we have been receiving a growing interest from key stakeholders on how education services can be improved, and we welcome it.

7th MEETING HIGHLIGHTS

On October 31, 2007, we held our seventh meeting with the Committee. A Los Angeles County Office of Education (LACOE) representative presented the Committee with a report reflecting LACOE's reaction to the Children's Planning Council's June 12, 2007 report and your Board's education reform action of June 19, 2007, recognition of what is currently occurring, and recommendations for consideration by the Committee.

Although LACOE has recognized dynamic system changes, such as our paradigm shift from incarceration to rehabilitation, it is LACOE's representative's viewpoint that it is not realistic to expect all minors will achieve a high school diploma. LACOE also believes that one of the foremost problems is lack of clearly defined goals. LACOE believes that there should be a case manager that follows minors through and out of the system; however, LACOE does not believe that should start at the delinquency stage; rather, it should start at the dependency stage, because minors can be identified for delinquency attributes when they are of kindergarten age. Consequently, for a successful outcome, there is a strong belief by all that someone needs to take full ownership of minor. (Two of the most successful programs, Boys Republic and New Visions Foundation, all have someone to follow a minor). In addition, there is a need to be able to return to having thorough, multi-disciplinary assessments to determine a minor's needs.

LACOE intends to review the possibility of our improving the way we schedule minors for assessments, i.e., mental health. In the meantime, the Probation Department is looking to examine all assessment tools as some have not been reviewed for many years. In addition, we are conducting detailed evidence-based practices processing, i.e., in our camp assessment unit and at camps.

It is important to emphasize that special education enrollment of minors at our camps and halls has significantly increased by 45% from having 740 pupils in FY 2005-06 to 1,071 pupils in FY 2006-07; this has contributed to LACOE's fiscal challenges. LACOE also indicates having contributed approximately \$4 million towards achieving compliance with the Department of Justice settlement agreement. LACOE indicates they are experiencing in excess of a \$5.7 million deficit annually, with an overall deficit of \$23 million to educate incarcerated youth.

As indicated in LACOE's report, its immediate next steps are as follows:

1. Conduct a student evaluation study to assess the efficacy of the current comprehensive high school education model on student achievement;
2. Hire a consultant to review successful evidence-based practices used in other states with similar student populations in order to determine the merits of utilizing similar strategies in Los Angeles County; and

3. Seek legislation to revamp the current funding model, which is based on average daily student attendance, to a completely different funding model that is based on a residential model.

In addition, LACOE has set in motion, with the California Department of Education, a review and verification of its special education services within Los Angeles Juvenile Court and Community Schools. This was initially intended to be a self-review; however, LACOE welcomes the verification process of its compliance with the Individual's with Disabilities Education Act (IDEA) at this time.

8th MEETING HIGHLIGHTS

On November 16, 2007, we held our eighth meeting with the Committee. Our focus was on continuing to explore alternative education programs through charter school programs. We invited Mr. Steve Barr, founder and Chief Executive Officer, Green Dot Public Schools, to provide the Committee an overview of its charter school programs. Mr. Barr emphasized that doubling up on reading and math time were the things to do to reverse years of neglect. He indicated that parents and everyone around minors need to be heavily involved for successful outcomes. He further indicated that focusing on increased interventions, and combining structure and love resulted in desired success.

Attached are three documents which were shared with the Committee – Attachment I is a joint letter from Dr. Robles and I to stakeholders as we felt this was necessary to dispel any negative rumors and clarify that our efforts to improve service delivery are not designed to replace or remove current personnel, but to identify programs and practices that can be adapted to better serve our young people; Attachment II provides a report entitled *Charter Schools: A Comprehensive Assessment* prepared for the Santa Clara Probation Department by the California Charter Schools Association and provides an in depth understanding of charter school program operations and regulations; and Attachment III provides a February 8, 2007 Santa Clara County Counsel's opinion on their County's operation of a charter school for probation wards – due to potential conflicting understandings of whether our County may legally operate a charter school, we also intend to seek an opinion from County Counsel.

In addition, our Department's education consultant has been conducting numerous site visits of our juvenile halls, camps, as well as external entities to explore educational programs, and recently included a site visit of Orange County Probation Department's Juvenile Hall education program. She provided the Committee with an overview of her observations of strong leadership built around cultural change; thorough intake assessment and case planning; consistent behavior standards in all classrooms; outreach 30-60 days prior to a minor's release; well-maintained facilities; and a similar education operating budget in comparison to the funding of services provided to the minors at our halls and camps. Consequently, as Committee members expressed an

interest in seeing the education program firsthand, our next meeting was scheduled offsite at Orange County Probation Department's Juvenile Hall.

9th MEETING HIGHLIGHTS

On December 3, 2007, we held our ninth meeting with the Committee. This was an offsite meeting held in Orange County where Orange County's Probation Department and Department of Education personnel provided the Committee a tour of their juvenile hall, which houses its Youth Leadership Academy Program.

A group of 17 out of the 21 members that regularly attend the Committee meetings and attended the tour had the opportunity to see a non-secure, comprehensive residential program and was very pleased with the programming offered. Committee members were also pleased with the excellent rapport shared between Orange County's Probation Department and their Department of Education personnel.

Subsequent to the tour, the Committee met to discuss a couple of other items on the agenda, one of which was the draft Saturday School Program as proposed by Probation Commissioners Betty Rosenstein and Clay Hollopeter. In general, although the proposal has merit and there are already items that are being incorporated into our final report and recommendations, the Committee's consensus is that the mandated program proposal as-is, will not achieve as great of a benefit to minors as it is far more important to have programming options available to minors for a better use of any time availability. Additional information regarding the analysis of this proposal will be provided in the Committee's final report and recommendations.

OTHER COMMITTEE RESEARCH AND ANALYSES

Some Committee members have been conducting related research and exploring other education programs at the Boys Republic camp in Chino Hills, the Boys Republic day treatment program in Monrovia, and the LA Works one-stop center in Irwindale to identify protocols and techniques that might be applied in the Department's juvenile camps.

A number of Committee representatives met three times with an ad hoc group assembled by the Children's Planning Council and Education Coordinating Council to flesh out issues and potential recommendations raised in the Committee meetings. This ad hoc group included representatives from the Children's Commission, the Public Defender's Office, the Association of Community Human Services Agencies, and the Girls Collaborative at Camps Scott and Scudder.

TENTATIVE EDUCATION-RELATED OUTCOMES

It is noteworthy to reemphasize that our Department's primary goal is to increase public safety through reduced recidivism and to effect positive behavioral change among probationers. We also believe it is essential to improve educational standards and outcomes for probation youth, so that they are fully equipped to perform capably whether they leave camp to finish high school, go on to college, or join the workforce.

As indicated in the prior report, the Committee was advised that the Probation Department, as part of its strategic planning process, has tentatively identified the following four education-related outcomes for reporting with the Department's dashboard reporting system, beginning in January 2008:

- 1) Number/percentage of eligible juveniles that complete high school diploma by completion of probation;
- 2) Number/percentage of eligible juveniles that obtain their G.E.D. by completion of probation;
- 3) Number/percentage of eligible juveniles that successfully enroll in a vocational education program by completion of probation; and
- 4) Number/percentage of eligible juveniles that successfully enroll in a two or four-year college by completion of probation.

COMMITTEE FINDINGS & OBSERVATIONS

Overall, everyone on the Committee continues to agree that youth should be the focal point of services with each youth having proper assessments and a case plan that involves needed EBP treatment, educational, and mental health services. Therefore, we must do a better job of assessing youth needs, providing them with appropriate services, reporting issues to the Court, and requesting necessary actions from the Court. EBP treatment, education and mental health services all need to be provided based on comprehensive assessments and individual case plans, including Individual Educational Plans for youth with learning disabilities and/or special education needs as well as Individual Learning Plans for all other youth.

Thus far, through things learned as a result of reviewing evidence-based practices and this endeavor, many Committee members believe that the ideal educational structure for at-risk and delinquent youth is to:

- Teach in small classes;
- Provide services to each minor based on their reading and math needs;
- Consider delivering education services through various providers that have expertise in education and special education and are willing to start with the basics;

- Link youth and their families with community resources;
- Include families in the design and implementation of education plans of their youth;
- Link parents with resources and providing resources, if necessary; and
- Base case plans on risk and needs assessments developed by multi-disciplinary teams and incorporating an aftercare component before youth leave the camp system.

In addition, we have been receiving a growing interest from key stakeholders on how education services can be improved. On December 12, 2007, we were honored by Senator Gloria Romero's visit to one of our juvenile halls and a couple of our camps. We understand from Senator Romero that 2008 will be the year of Education. So our education reform efforts could not occur at a better time. Senator Romero has expressed interest in having someone participate in our Committee meetings and has designated a representative from her office.

We will continue to provide 60-day progress reports and intend to provide your Board with a report including recommendations and a comprehensive plan in March 2008.

Please contact me if you have any questions or require additional information, or your staff may contact David M. Davies, Chief Deputy, Probation at (562) 940-2511.

RBT:dn

Attachments (3)

c: Michael Nash, Presiding Judge, Juvenile Court
William T Fujioka, Chief Executive Officer
Doyle Campbell, Deputy Chief Executive Officer
Sachi A. Hamai, Executive Officer, Board of Supervisors
Raymond G. Fortner, Jr., County Counsel
Dr. Darline P. Robles, Superintendent, Los Angeles County Office of Education
Rudell S. Freer, President, Los Angeles County Board of Education
Gabriella Holt, President, Probation Commission
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Dr. Marvin J. Southard, Director, Department of Mental Health
Cheryl Mendoza, Executive Director, Children's Planning Council
Jose Huizar, Chair, Los Angeles County Education Coordinating Council
Trish Ploehn, Director, Department of Children and Family Services
Nikki C. Friedman, Chair, Los Angeles County Civil Grand Jury
Tim Cromartie, Consultant, Senator Gloria Romero
Judy Hammond, Public Information Officer

9150 Imperial Highway
Downey, CA 90242-2890



9300 Imperial Highway
Downey, CA 90242-2890

Dear Stakeholders:

The Probation Department and the Los Angeles County Office of Education have been and will continue to work collaboratively to review, evaluate, and improve programs at the juvenile halls and camps to provide the most effective educational and probation delivery systems possible for juveniles.

We are in agreement that our respective programs, curricula, and staffs need to interact, communicate, and support efforts to achieve our common goal of successfully preparing youth for their transition and integration back into the community and reducing the likelihood of their recidivism. To that end, we are utilizing the resources of both departments to review our current programs, delivery systems, and content to insure that policies, practices, and procedures are properly aligned with our goal.

On June 19, 2007, an education committee was convened at the direction of the Board of Supervisors to evaluate the educational programs as an initial effort to review the many disciplines and agencies that serve youth in our halls and camps. Represented on that committee were many agencies and individuals who are involved with minors in the justice system, as well as LACOE and Probation.

As members of the committee, we will be exploring various options designed for the improvement of service delivery and overall educational, probation, and service improvement.

It is our hope that our staffs will understand that these efforts are not designed to replace or remove current personnel, but to identify programs and practices that can be adapted to better serve our young people. We will look to evidence based practices in other municipalities, counties, and states to provide us with successful models to emulate.

It is our commitment to you to retain what works, embrace a process of continuous improvement, and continually monitor our progress. We need your support, encourage your suggestions, and appreciate your understanding and cooperation.

Sincerely,

Robert B. Taylor, *Chief*
Los Angeles County Probation

Darline P. Robles, Ph.D., *Superintendent*
Los Angeles County Office of Education

11/15/07



CHARTER SCHOOLS: A Comprehensive Assessment

Submitted by:

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February 8, 2007**

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Charter School Analysis

Santa Clara Probation Department
February 8, 2007

This report is intended to answer official board and department questions about the viability of a charter school for students in the court and probation system. Because of the complex nature of public education and its financing, the scope of this report is written in a question and answer format.

Building a charter school for at-risk junior high and high school students will require hundreds of hours of work from Santa Clara County Probation Office and its lead team of designers, writers and educators. No charter schools currently exist for Juvenile Wards of the Court. Thus, Santa Clara County will be moving in uncharted territory. The rewards in terms of educational outcomes for students will be high. However, the risk of failure is a reality, as another charter high school serving at-risk youth in Santa Clara found this year.

The challenges range from governance (who starts it, governs it, runs it?) to fiscal (how little money is there?) to educational (how to deliver and assess a high-quality program?). Generally speaking, a new school program takes 18-24 months to start. It is not for the faint of heart. A school development team of no less than three typically does most of the work, with strong support from its entire development team and the greater community.

What is a charter school?

A charter school is a public school and may provide instruction in any of grades kindergarten through 12. A charter school is usually created or organized by a group of teachers, parents and community leaders or a community-based organization, and is usually authorized by an existing local public school board or county board of education. Specific goals and operating procedures for the charter school are detailed in an agreement (or "charter") between the authorizing board and charter organizers.

Charter School Facts:

- Charter schools cannot charge tuition
- Charter schools must enroll all who wish to attend
- Charter schools must be of choice
- Charter schools must be nonsectarian
- Charter schools must hire credentialed teachers
- Charter schools must allow unions
- Charter schools must meet academic standards
- Charter schools must administer statewide performance tests
- Charter schools cannot discriminate based upon disability, ethnicity, national origin, age or gender

How are charter schools funded?

Charter public schools, like their district counterparts, receive funds from the state according to the number of students at the school. Funding levels generally rise annually by the amount of Cost of Living Adjustment set by the state Department of Finance.

Charter high schools such as the one proposed receive the statewide average for all public schools. In 2007-2008, that sum is likely to be \$7,247 per student (ADA) in the form of the charter and general purpose block grants. These funds exclude Economic Impact Aid, Title I and Supplementary Hourly Funding, which can add thousands of dollars per student, depending on the number of English learners and those on Free and Reduced Lunch. For a school with a high number of these two groups of student, it is expected that annual revenues per student could rise as high as \$8,500.

Ed Code 47633: The Superintendent of Public Instruction shall annually compute a general-purpose entitlement, funded from a combination of state aid and local funds, for each **charter** school as follows:

(a) The superintendent shall annually compute the statewide average amount of general-purpose funding per unit of average daily attendance received by school districts for each of four grade level ranges: kindergarten and grades 1, 2, and 3; grades 4, 5, and 6; grades 7 and 8; and, grades 9 to 12, inclusive. For purposes of making these computations, both of the following conditions shall apply:

(1) Revenue limit funding attributable to pupils in grades 9 to 12, inclusive, shall equal the statewide average revenue limit funding per unit of average daily attendance received by high school districts.

(b) The superintendent shall multiply each of the four amounts computed in subdivision (a) by the **charter** school's average daily attendance in the corresponding grade level ranges. The resulting figure shall be the amount of the **charter** school's general-purpose entitlement, which shall be funded through a combination of state aid and local funds. From funds appropriated for this purpose pursuant to Section 14002, the superintendent shall apportion to each **charter** school this amount, less local funds allocated to the **charter** school pursuant to Section 47635.

(c) General-purpose entitlement funding may be used for any public school purpose determined by the governing body of the **charter** school.

There is a notable exception to these mandated funding levels in the Education Code. The Soledad Education Academy in Los Angeles County gained a legislative exception, and received approximately \$11,500 per student in 2001, equivalent to the statewide average for county day schools. It is likely that this funding level is now above \$12,000 per student.

For Santa Clara to achieve these higher levels of funding, a legislative remedy is needed. In 2006, such a legislative remedy failed to win passage. A future legislative measure, which would probably have to be introduced no earlier than 2008, would need to generate a larger coalition of counties, as passage of a bill on behalf of one county is difficult to generate a majority of votes for.

High School Funding under charter school model:	\$8500 per student
High School Funding under county day school model:	\$12000 per student

How do charter funds flow to the school site?

Unless the charter school is a State Board of Education-authorized school, it cannot receive funding directly from the state, but must instead receive its funds from the county office of education or district office. The school may elect to be a locally funded school of the district it is authorized by, and receive its funds through an account at the district.

Or it may choose to be a direct funded school, in which case the account would be at the Santa Clara County Office of Education (SCCOE).

Funds are received about once per month, in differing percentages. The first apportionment occurs at the beginning of the fiscal year, which starts July 1. For new schools, advanced apportionment is given in one three-month advance, out of which they hire new teachers and staff, as well as prepare facilities.

No funds may be deducted by either the SCCOE or district local agencies, besides mutually agreed upon services and the 1% oversight fee as defined by law.

Who would oversee the charter school?

Santa Clara County Probation Office may apply to the local school district, San Jose Unified, to be chartered. The charter agency then becomes the oversight body for the school.

Santa Clara County Probation Office may also directly petition the Santa Clara County Office of Education to be a county-sponsored charter school. The applicant may choose to apply directly to the SCCOE for its charter, given its charge of serving students from across the county, and its existing educational relationship with SCCOE.

Why a charter school?

A charter public school is typically run autonomously from the school district or COE, with a separate board of governors and budgetary and hiring/firing abilities. Charter schools may also be run by school districts and county offices of education, but 80% of all new charters in the state are "independent" charters that establish their own boards.

Charter schools are also exempted from most sections of the Education Code. This allows them to gain greater budgetary and curricular flexibility, and use those flexibilities to help students succeed.

Charter schools **MUST** hire Highly Qualified teachers. The schools' students, like district public schools, must take state and federal standardized tests.

For a more in-depth discussion of how charter schools are helping low-income students to higher achievement levels, please see the next section.

Education Code §47600, Intent of Charter School Law

"It is the intent of the Legislature, in enacting this part, to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure, as a method to accomplish all of the following:

- (a) Improve pupil learning.
- (b) Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.
- (c) Encourage the use of different and innovative teaching methods.
- (d) Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.
- (e) Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.
- (f) Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems.
- (g) Provide vigorous competition within the public school system to stimulate continual improvements in all public schools."

Is there data that indicates charter schools are successful in raising a student's achievement levels?

While national research shows charters even with or slightly behind their district school counterparts, the research on California's charter public schools over the past five years presents some significant conclusions on the effectiveness of the charter school movement. The research clearly demonstrates that California's charter public schools are performing at least as well as, or better than, their non-charter school counterparts in improving student achievement, especially for at-risk and minority youth.

Since 2002, many research reports and studies have been commissioned to assess California's charter public schools' impact on student achievement. Some of the reports were performed by major universities, others were performed by independent research organizations, still others were performed by education advocacy organizations that are considered to be either historically supportive of charter schools or against their expansion, one was performed by an independent government agency and one by a major metropolitan newspaper with over 100 charter public schools in its home county, the largest in all of California.

The available research, presented chronologically below, shows that by introducing high-quality and innovative approaches into public education, California's charter public schools are having a positive impact on the state's public school system.

A Review of the Current Research

RAND Report, 2006

"Making Sense of Charter Schools: Evidence from California," RAND Corporation Occasional Paper (January 2006).

One of the foremost research institutions on education, the RAND Corporation, recently issued an Occasional Paper entitled "Making Sense of Charter Schools: Evidence from California" that examined how charter public schools affect the performance of charter students as well as types of students served.

RAND found that charter schools are "effective" despite receiving less money. It also found that "charter schools are not 'cream-skimming' as critics fear, but rather attracting lower-performing students." Charter schools are more likely to enroll African-American and Hispanic students than non-charter schools and "students who transfer from traditional public schools to charter schools have lower achieving scores prior to moving."

RAND concluded "charter schooling is a reform initiative worth continuing in California."

National Center for Education Statistics, 2005

"....the National Assessment Governing Board (NAGB), which sets policy for the National Assessment of Educational Progress (NAEP), asked the National Center for Education Statistics (NCES) to conduct a pilot study of charter schools. A special oversample of charter schools, conducted as part of the 2003 fourth-grade NAEP assessments, permitted a comparison of academic achievement for students enrolled in charter schools to that for students enrolled in public noncharter schools. The school sample comprised 150 charter schools and 6,764 public noncharter schools. Initial results employing data from the 2003 NAEP fourth-grade assessments in reading and mathematics were presented in the NCES report *America's Charter Schools: Results From the NAEP 2003 Pilot Study* (NCES 2004). In the first phase of the combined analysis, all charter schools were compared to all public noncharter schools. The average charter school mean was 5.2 points lower than the average public noncharter school mean. After adjusting for multiple student characteristics, the difference in means was 4.2 points. Both differences were statistically significant.

The Los Angeles Times, 2005

"*Charters Get Better but Lag Traditional Schools, Study Says*," *Los Angeles Times* Analysis (September 2005).

The *Los Angeles Times* analysis found that charters showed stronger year-to-year improvement than non-charters, especially in Los Angeles.

California's charter public schools as a whole scored an average gain of 28 points on the Academic Performance Index (API) over the previous year's results, while traditional public schools posted a 20-point improvement. Where charters specifically outdistanced district schools was in secondary schools, scoring 742 to 717 for middle schools and 633 to 622 for high schools. In Los Angeles Unified, charters outperformed non-charters in both scores and improved achievement: 715 to 677, their scores improving by 30 points overall while non-charters grew by 20.

EdSource, 2005

"*How Are California's Charter Schools Performing?*" EdSource Report (May 2005).

EdSource's study found that California charter schools' test scores generally improved more than those of non-charters. This analysis utilized CST scores rather than APIs or SAT-9 scores, as it was more applicable under No Child Left Behind.

Focusing on improvement over time, this study found that the average percentage-point change in students scoring proficient and above in English language arts and math were in general higher for charters than non-charters. In the seventh grade, charter students saw a 5.1 percent increase in English and 5.6 percent in math, while non-charters increased 4.3 percent in both subjects.

The improvement of charters compared with non-charters on California standardized tests from 2002-2004 was also greater. For seventh graders, 57 percent outperformed non-charters in English language arts and 60 percent in math.

Harvard University, 2004

"A Straightforward Comparison of Charter Schools and Regular Public Schools in the United States," Caroline M. Hoxby, Harvard University (September 2004).

A national report released by Harvard University found that students attending California's charter public schools are more proficient in both reading and math than students attending nearby traditional public schools. The report also found that charter schools that have been in operation for six or more years had proficiency gains that were nearly twice as pronounced as nearby non-charters. The report, which looked at students that come from similar neighborhoods, face similar economic conditions and attend similar public schools, found that *"California's charter students are 9 percent more likely to be proficient in reading and 5 percent more likely to be proficient in math."*

When looking only at California charter public schools that have been in operation for at least six years, students attending them were 11.8 percent more likely to be proficient at reading and 12.2 percent more likely to be proficient at math than students attending nearby public schools.

American Federation of Teachers, 2004

"Charter School Achievement on the 2003 National Assessment of Educational Progress," F. Howard Nelson, Bella Rosenberg, Nancy Van Meter, American Federation of Teachers (August 2004).

This American Federation of Teachers' (AFT) report showed that students in California's charter public schools are doing as well and even slightly better on student achievement than students in California's broader public school system. The AFT study looked at reading and math scores from the 2003 National Assessment of Educational Progress (NAEP).

The AFT report showed that 52 percent of California's charter school students are reading at or above basic levels, compared to 50 percent for California's broader public school system. The AFT report also showed that 68 percent of charter school students are performing at or above basic levels in math, the same level as in the broader public school system.

Legislative Analyst's Office, 2004

"Assessing California's Charter Schools," Elizabeth Hill, California Legislative Analyst's Office (January 2004).

This landmark report from the Legislative Analyst's Office (LAO) summarized current findings and offered recommendations for strengthening the charter school movement in

California, concluding that "charter schools are a viable reform strategy - expanding families' choices, encouraging parental involvement, increasing teacher satisfaction, enhancing principals' control over school-site decision making, and broadening the curriculum without sacrificing time spent on core subjects."

The LAO recommended that the Legislature remove the cap on the annual growth of charter public schools, reform the Charter School Categorical Block Grant, and allow for multiple authorizers.

RAND Corporation, 2003

"Charter School Operations and Performance: Evidence from California," Ron Zimmer, Richard Buddin, Derrick Chau, et.al., The RAND Corporation (July 2003).

The California Legislative Analyst's Office commissioned the RAND Corporation to conduct the most comprehensive evaluation of California's charter public schools to date. RAND found that California's charter public schools keep pace with and in some cases outperform traditional public schools despite serving a more diverse and challenging student population.

According to the LAO, *"The 2003 statewide evaluation of charter schools, conducted by RAND, concluded that charter schools were cost-effective—achieving academic results similar to those of traditional public schools even though they obtain less state and federal categorical funding."* The RAND study established that California's charter public schools are making positive achievement gains, especially in reading and math. "Start-up" charter schools slightly outperform traditional public schools and "conversion" charter schools.

The RAND report also confirmed that charter public schools tend to concentrate their efforts towards those most under-served by the traditional public school system, serving a greater percentage of low-income students and a slightly greater percentage of students with academic problems than conventional public schools. Twice as many African-American students are enrolled in charter schools than the traditional public school system.

The Hoover Institution and Policy Analysis for California Education, 2003

"The Performance of California Charter Schools," Margaret Raymond, Hoover Institution (May 2003).

This study from the Hoover Institution at Stanford University and the Policy Analysis for California Education (PACE) found that charter school students are making greater academic gains than students from traditional public schools despite the fact that charter schools are serving a more challenging student population.

"The gains in charter schools...," stated the Hoover/PACE study, *"outpace their traditional counterparts for elementary school and high school, and the difference is statistically significant for charter high schools. Thus, even though they enroll students who are farther behind in achievement, charter elementary and high school charters take their students farther each year than other traditional schools."*

The Hoover/PACE study found that test scores of elementary and high school students enrolled in charter schools in California increased faster than those of students attending traditional campuses between 1999 and 2001. It suggested that although average scores in charter public schools showed faster growth than those at traditional

public schools, they still lag because charter schools often enroll many students who were not doing well at other schools.

Charter Schools Development Center, 2003

"Veteran Charter Schools Outperform Non-Charter on API," Michael Agostini, CSDC (April 2003).

A statistical comparison of California student achievement scores by the Charter Schools Development Center found that *"charter schools that have operated for five or more years outperformed noncharter public schools and younger charter schools."*

'Veteran' charter schools averaged an API score of 708, while traditional public schools averaged an API score of 689 and 'young' charter schools averaged an API score of 667.

California State University, Los Angeles, 2002

"California Charter Schools Serving Low SES Students: An Analysis of the Academic Performance Index," Simeon Slovacek, Antony Kunnan, Hae-Jin Kim, CSU, Los Angeles (March 2002).

This university study concluded that California's charter public schools are more effective than traditional public schools at improving the academic achievement of low-income students.

This study concluded that student achievement at charter schools is improving at a faster rate than at non-charter public schools with similar demographics. Charter public schools with at least half to three-quarters of students that are low-income had academic achievement scores that improved between three and four percent faster than traditional public schools with similar demographics.

"California charter schools are doing a better job of improving the academic performance (as measured by API) of California's most at-risk students, those who are low-income, than non-charter California public schools," the report stated. *"Student achievement (as measured by API) in California's low-income charter schools is, on average, improving at a faster rate than in similar non-charter schools."* The report added that, *"Charter schools are serving a greater concentration of low-income students."*

Will we obtain community or parent input before moving forward?

While it is not legally necessary to obtain parental or community input, the best charter schools involve their communities on some level or another. Having parents as part of the development team will help establish a community connection when the school opens. The Education Code requires that once an authorizer receives a charter school petition, a public hearing must be held in which the authorizer considers the level of support for the petition by teachers and parents, as well as employees.

What are the legal standards around charter schools, must a charter school report to an authorizer annually, and what is the process for moving forward?

Legal Standards

The authorizer must approve a charter unless it provides written findings on one or more of the following:

- Charter presents an unsound educational program
- Petitioners are unlikely to successfully implement the program
- The petition does not contain the number of signatures required
- The petition does not contain the required affirmations
- The petition does not contain reasonably comprehensive descriptions of the 16 elements found in every charter petition, including educational, legal, financial and operational elements.

Strong Recommendation: The best charter school operators work closely with their COE or district authorizers, so as to build the most constructive relationship possible from the beginning.

Reporting and Compliance

A charter school petition may be granted for up to five years. Annually, the authorizer is legally required to visit the school at least once, and the school must file annual audits. A charter school may be revoked by its authorizer during the term of its charter if it is found to be out of compliance with the charter, or contract.

Additionally, the authorizer and school typically sign a Memorandum of Understanding that covers bilateral agreements such as food service, facilities and special education. These can be annual contracts, or they can be signed for the life of the charter petition.

Timelines

A general rule of thumb for developing a charter school is 18 months from the start of putting together a team until school opening. However, it can be done in a shorter period with cooperation from the authorizer. Using the 18 month measure, that means that for a petition to be approved by November 2008, the petition should be complete and start submission process by March of 2008 at the latest

- Legally, the authorizer has 30 days from the date of submission to hold a public hearing
- Legally, the authorizer has 60 days from date of submission to approve or deny

Charter petitioners are allowed to appeal to the County Board of Education (CBE) and the state if denied. They can also apply directly to the CBE and bypass the district, in the case of a school such as the proposed.

If the CBE denies the charter, the State Board of Education would hear its appeal, and this process takes another 120 days.

Ed Code 47605.5.

A petition may be submitted directly to a county board of education in the same manner as set forth in Section 47605 for charter schools that will serve pupils for whom the office of education would otherwise be responsible for providing direct education and related services. Any denial of a petition shall be subject to the same process for any other county board of education denial of a charter school petition pursuant to this part.

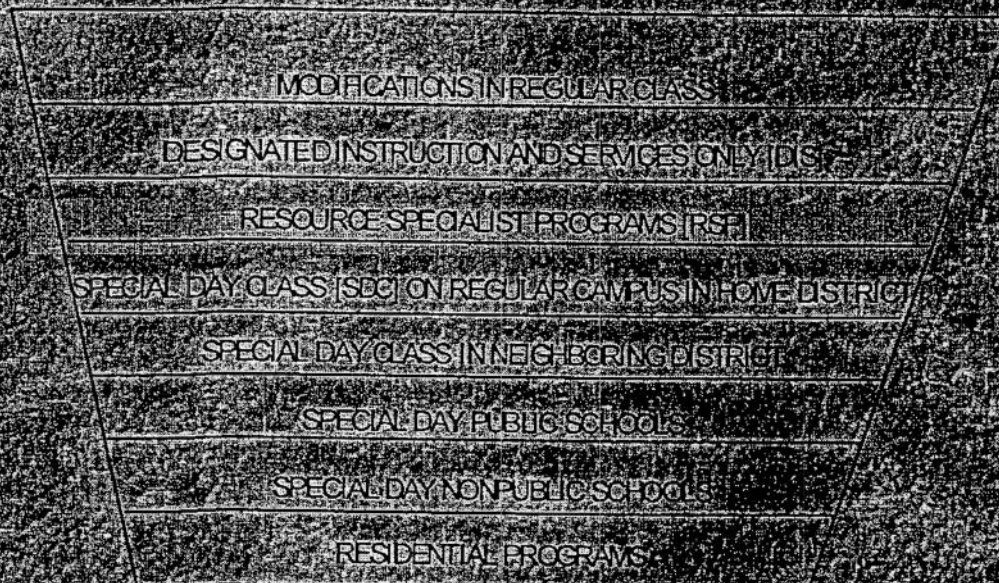
How is special education generally handled by Charter Schools, and how difficult is it to recruit these staff?

Under Charter Schools and IDEIA 34 CFR, Sec. 300.312 Children with disabilities in charter public schools, children with disabilities who attend charter public schools and their parents retain all rights under this part.

The charter school's responsibilities are to:

- Not discriminate against an "otherwise qualified" student
- Provide all special education and related services as outlined on the IEP
- Provide access to the full continuum of special education services (services are typically provided by the district or county office of education)
- Adhere to SELPA Local Plan
- Comply with all IDEIA, Section 504, and Americans with Disabilities Act (ADA) mandates.

Continuum of Special Education Options



Special education in charter schools is a complex process that involves the district or COE, the family and the school.

- Since charter schools do not have clearly defined boundaries, with a few exceptions, they must accept any “eligible” student who wishes to enroll in the charter school.
- Once an eligible student has enrolled, it no longer matters where the student lives.
- Unless the charter school becomes an LEA for special education purposes, the charter-authorizing school district (LEA) is responsible for ensuring that appropriate services are provided and that the charter school complies with special education laws.
- Typically, the school district or county office of education provides all assessment services, in addition to providing the special education teachers.

Recruitment of staff

Qualified special education teachers are often difficult to find. Most employers use educator databases such as EdJoin, as well as employing standard hiring practices such as Craig's List.

How do charter school youth transition back into regular school settings, and how are credits handled and transitioned?

Because the law is silent on the enrollment ramifications of charter school expulsions, it is sometimes difficult to enroll or re-enroll in a district public school after expulsion. On suspended or truant students, or even students with no at-risk behavior, the law is clear: students may enroll or re-enroll in a district school. However, many district administrators are ignorant of the charter school sections of the Education Code, and choose to treat the student as it would any district transferee. Even students with blemish-free records are sometimes unable to convince district administrators to allow them back.

There are two main ways that high school students transition back into traditional school settings.

1. The student graduates from the program with the required amount of credits, and applies to a college or university program, or seeks employment. Many charter schools establish relationships with local community colleges. This serves two purposes: 1) the school does not have to offer all coursework required by public universities for entrance; and 2) the student gets used to a college setting, removing some of the challenges of college life and academia.
2. The student, with or without the school's support, applies to a traditional public school for enrollment. If the student has already been expelled by a school district, s/he will not be able to reapply. However, the law is silent on expulsion from a charter school, and a Memorandum of Understanding usually includes an agreement on expelled charter students' eligibility for district enrollment. Other charter public schools may also allow the enrollment of expelled students.

In terms of credit transfers, charter schools are like any other school. Once the student has registered at the new school, the charter school administrator makes the student's transcript and "CUM" file available to the student's new school.

Ed Code Section 49068.

Whenever a pupil transfers from one school district to another or to a private school, or transfers from a private school to a school district within the state, the pupil's permanent record or a copy thereof shall be transferred by the former district or private school upon a request from the district or private school where the pupil intends to enroll. Any school district requesting such a transfer of a record shall notify the parent of his right to receive a copy of the record and a right to a hearing to challenge the content of the record.

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MEMORANDUM

TO: Supervisor Blanca Alvarado, Chairperson
Supervisor Ken Yeager, Vice-Chairperson
Public Safety and Justice Committee

FROM: *Ann Miller Ravel*
Ann Miller Ravel, County Counsel
Nancy Clark, Assistant County Counsel *Nancy Clark*
Susan Swain, Lead Deputy County Counsel *Susan Swain*

RE: County Operation of a Charter School for Probation Wards
Response to Board Referral from September 12, 2006 Board Meeting,
Item No. 13

DATE: February 8, 2007

OPINION REQUESTED

On September 12, 2006, the Board of Supervisors requested that administration report regarding the feasibility of operating a charter school for juvenile wards. Inherent within that request is whether the County may legally operate a charter school.

CONCLUSION

California law mandates that the County Board of Education must operate schools in juvenile halls and ranches (juvenile court schools). This does not necessarily preclude the County from operating a charter school in its juvenile court schools. The County could ask the County Board of Education or the governing board of a local school district to cooperate with the County and apply for a waiver of certain provisions of the Education Code, which could allow the County to apply to operate a charter school. Alternatively, the County can assert that the Charter School Act of 1992 supersedes other provisions of law mandating that the County Board of Education operate the juvenile schools, and concurrently seek a waiver of certain Education Code provisions relating to charter school requirements.

//

DISCUSSION

A. The County May Establish Public Schools in Juvenile Hall and the Ranches.

The Welfare and Institutions Code provides that a board of supervisors may establish public schools at any juvenile hall or ranch.¹ The Code further provides that a board of education (CBE)² must operate any public school in these facilities that is established under Education Code section 48645 et seq.³ A charter school is a public school.⁴

Education Code section 48645 et seq. provides that schools in a juvenile hall or ranch are "juvenile court schools," and mandates that a CBE must operate any juvenile court schools established under these sections.⁵

The question presented here is whether these statutory mandates preclude the County from operating a charter school. A review of the relevant statutory schemes, including the Charter School Act of 1992 (CSA), reveals two different arguments the County could assert that it is entitled to pursue authorization of a charter school to serve its juveniles wards.

1. The County May Seek a Waiver of Education Code section 48645 et seq.

As explained above, the Welfare and Institutions Code only provides that a CBE must administer and operate public schools *established pursuant to Section 48645 et seq. of the Education Code*. Conversely, Education Code section 48645 provides that a CBE must run the

¹ *Welfare and Institutions Code*, § 856.

² The County Board of Education (CBE) serves as the governing board of the County Office of Education (COE) and consists of five to seven elected officers. The CBE has the power to adopt rules and regulations for its own government, approve the budget of the county superintendent, and approve the annual county school service fund budget of the county superintendent prior to submission to the state superintendent. A COE operates alternative schools, e.g. juvenile court schools and community schools within the county. *Education Code*, §§ 1000, 1040, 1240 et seq., 1980 et seq., 48645 et seq.; See also County of Santa Clara Office of Education Website at <http://sccoe.org>.

³ *Welfare and Institutions Code*, § 889.

⁴ *Education Code* section 47615 provides that "The Legislature finds and declares the following: (1) Charter schools are part of the Public School System, as defined in Article IX of the California Constitution." Accord *Wilson v. State Board of Education* (1999) 75 Cal.App.4th 1125, 1139 ["charter schools are public schools"]; *Ghafur v. Bernstein* (2005) 131 Cal.App.4th 1230, 1239 ["it is clear that California charter schools are part of this state's public school system."].

⁵ *Education Code*, §§ 48645.1, 48645.2.

juvenile court schools. The County, however, can seek a waiver of the Education Code requirement that the CBE must run the juvenile court schools.

Specifically, as relevant here, the Education Code⁶ provides that a CBE or the governing board of a school district, must request the State Board of Education (SBE)⁷ to waive all or part of any section in the Education Code or SBE regulations, subject to certain exceptions not applicable here.⁸ Accordingly, if the County were able to persuade the CBE, or a local governing board of a school district, to apply to the SBE to waive the requirements of Education Code section 48645 et seq., the requirement that the CBE run the juvenile court schools would be overcome. The Welfare and Institutions Code requires only that the CBE administer and operate juvenile court schools "established pursuant to Section 48645 et seq. of the Education Code." If a waiver of section 48645 et seq. were obtained, the County juvenile court schools would not be "established pursuant to 48645 et seq.," and the County may be able to explore other options for authorizing the "public schools" referred to in Welfare and Institutions Code section 856, i.e. a charter school.⁹

2. *The County May Argue that the Provisions of the Charter Schools Act of 1992 Are Intended to Provide Additional Educational Options Over and Above Those Existing At the Time of Its Enactment.*

If the CBE or a local governing board of a school district declined to assist the County in seeking a waiver of the Education Code sections discussed above, the County could argue that the Charter Schools Act of 1992 (CSA), as a more recent statutory scheme, supersedes the provisions of the Welfare and Institutions Code and the Education Code requiring that a CBE run juvenile court schools. The CSA explicitly states that: "It is the intent of the Legislature in enacting this part, to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools *that operate independently from the existing school district structure. . . .*" Thus, it could be argued the Legislature recognized the need for an *additional and alternative school model* -- outside of the laws existing at the time the CSA was

⁶Education Code, § 33050.

⁷The SBE is entrusted with the ability to determine all policy matters within its power, including the authority to adopt rules and regulations, consistent with state law, for elementary and secondary schools within the State, and for the government of other schools within the State. *Education Code*, §§ 33030, 33031.

⁸Education Code section 33050 further provides that certain provisions of the Education Code cannot be waived, but these sections do not include section 48645 et seq., nor the portion of the Education Code relating to the creation, authorization or operation of charter schools.

⁹The County would also need to repeal existing Ordinance Code section A27-21, which directs the County Superintendent for COE to provide for the juvenile court schools.

enacted (including the Education Code and Welfare and Institutions Code sections at issue here).

It is possible a court could conclude that while the CSA authorizes new schools which are independent of the "existing school district" structure, that provision was not intended to affect the CBE's operation of juvenile court schools as the CBE-operated schools are not part of a "school district." A court could also conclude, however, that the obvious intent of the CSA is to create an alternative school outside the existing structure, and that juvenile court schools were also embraced within the CSA. Further, the Education Code provides that a petition to operate a charter school "may be directly submitted to a county board of education in the same manner as set forth in section 47605 for charter schools that will serve pupils *for whom the county office of education would otherwise be responsible for providing direct education and related services*," e.g. juvenile court schools.¹⁰ Lastly, the Education Code, specifies that one of the requirements of a charter school petition is that the petition contains a statement that parents signing the petition are meaningfully interested "in having his or her child, *or ward*, attend the charter school." Because of these factors, it is reasonable to conclude that the CSA was intended to apply to schools run by a COE.¹¹

B. Assuming the County Can Overcome the Requirement that the CBE Operate Its Juvenile Schools, the County Could Apply to Run a Charter School in Conjunction with Seeking a Waiver of Certain Requirements Relating to Charter Schools.

In order to establish a charter school, the County would be required to meet numerous specific legal requirements, some of which would be difficult or impossible for the County to meet. For example, a charter petition must be signed by either a specified number of the parents of students expected to be attending the first year, or at least half the number of teachers expected to be employed at the school in the first year. Given the transient nature of the population attending juvenile court schools the parental signature requirement would be difficult to meet, and as a start up school, rather than conversion of an existing school, it may be difficult to obtain the required number of teacher signatures. The Code also contains a requirement that no student may be required to attend the charter school.¹² The County would not be able to meet this requirement inasmuch as juvenile wards do not have a choice about attendance. In order to avoid the necessity of being required to meet all of the requirements otherwise necessary under the CSA, the County would need to seek waivers of each of the specific requirements it would be unable to meet.

¹⁰ Education Code, § 47605.5.

¹¹ Education Code, § 47605.

¹² Education Code, § 47605.

In evaluating the potential success of a charter school petition, the County should keep in mind that preference is given "to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioner or petitioners as academically low achieving pursuant to the standards established by the department under section 54032."¹³ Approvals of charter petitions are "not automatic, but can be denied on several grounds, including presentation of an unsound educational program. (§ 47605, subd. (b)(1))."¹⁴ Written factual findings of any denial must be made, which set forth specific facts to support one or more of the five specific findings: 1) the charter school presents an unsound educational program; 2) the petitioners are demonstrably unlikely to succeed; 3) the petition does not contain the requisite number of signatures; 4) the petition does not contain a requisite affirmation that certain requirements will be met; and 5) the petition does not contain a reasonably comprehensive description of necessary issues.¹⁵

If the CBE denies the charter petition, there is an appeal to the SBE.¹⁶ The SBE's consideration of a charter petition appeal is treated as a new hearing and the SBE's determination must be "reasonable, rational and fair to the petitioners"¹⁷ The SBE must act within 120 days, or the CBE's decision is subject to judicial review.¹⁸ If the outcome at the SBE is unsatisfactory, the County may pursue petition for writ of mandate in Superior Court to compel the SBE to grant the petition.¹⁹

¹³Education Code, § 47605, subd. (h).

¹⁴Wilson v. State Board of Education (1999) 75 Cal.App. 1125, 1139.

¹⁵Education Code, § 47605, subd. (b)(1)-(5).

¹⁶Education Code, § 47605, subd. (j)(1).

¹⁷Cal. Code. of Regs., tit. 5, section 11967.5.

¹⁸Education Code, § 46705, subd. (j)(4).

¹⁹See e.g. Code of Civ. Proc., section 1085; *Fullerton Joint Union High School District v. State Board of Education* (1982) 32 Cal.3d 779 [petition for writ of mandamus used to challenge SBE authorization to create new high school district], criticized and questioned on other grounds; *Sequoia Union High School District v. Aurora Charter High School* (2003) 112 Cal.App.4th 185 ["A writ of mandate may be issued to a public agency 'to compel the admission of a party to the use and of an office or right to which he is entitled to'"]; *Environmental High School v. Union High School District* (2004) 122 Cal.App.4th 139, 145 [following *Sequoia*].

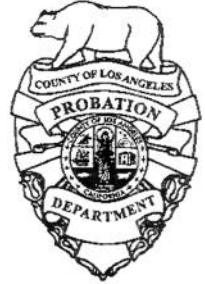


ROBERT B. TAYLOR
Chief Probation Officer


COUNTY OF LOS ANGELES PROBATION DEPARTMENT

9150 EAST IMPERIAL HIGHWAY — DOWNEY, CALIFORNIA 90242

(562) 940-2501



February 19, 2008

TO: Each Supervisor
FROM: 
Robert B. Taylor
Chief Probation Officer

SUBJECT: **DEVELOPMENT OF COMPREHENSIVE EDUCATION REFORM PLAN
FOR JUVENILE HALLS & CAMPS – FOURTH PROGRESS REPORT**

Pursuant to your Board's June 19, 2007 instruction, this is our fourth 60-day progress report covering mid-December 2007 through mid-February 2008, regarding the development of a comprehensive plan to dramatically reform education programs in the County's juvenile halls and probation camps.

We continue to work on this endeavor with the Los Angeles County Superintendent of Schools and representatives from the various departments and agencies identified by your Board as well as additional key stakeholders from other departments or agencies that we deemed appropriate and that expressed an interest in this effort.

This report provides an overview of the work, presentations, and site visits conducted as part of our various Education Reform Committee meetings held during this period. In addition, a preview of our vision and draft recommendations is also provided.

PROGRESS STATUS OVERVIEW

During this reporting period, I chaired three Committee meetings, for a total of 12 Committee meetings held thus far. These Committee meetings continue to create constructive, open discussions regarding ways to improve the educational services that we provide to the minors in our juvenile camps and halls.

In addition, I have provided presentations to the various key stakeholders identified further below. Overall, the draft report has been well-received by numerous stakeholders who support the implementation of the Committee's recommendations that we believe are necessary to effectively engage probation youth in education and to improve their opportunities for becoming successful and fully reintegrated into our communities.

10th, 11th & 12th COMMITTEE MEETING HIGHLIGHTS

On January 10 and 24, and February 11, we held our 10th, 11th, and 12th Committee meetings, respectively, to primarily discuss three draft versions of the report including the proposed recommendations as well as the development of our draft implementation action plan. I also provided an overview of the draft report and proposed recommendations to various key stakeholders to acquire their feedback and to ensure a collaborative endeavor prior to the submission of the report to your Board in April 2008.

In our last report, we indicated that a LACOE representative presented the Committee with a report reflecting LACOE's reaction to the Children's Planning Council's June 12, 2007 report and your Board's education reform action of June 19, 2007, in recognition of what is currently occurring, and recommendations for consideration by the Committee, which included the following two immediate next steps. The following also provides a corresponding update:

1. Conduct a student evaluation study to assess the efficacy of the current comprehensive high school education model on student achievement.

Status: LACOE anticipates the evaluation report to be ready by mid-April 2008.

2. Hire a consultant to review successful evidence-based practices used in other states with similar student populations in order to determine the merits of utilizing similar strategies in Los Angeles County.

Status: LACOE is conducting a comprehensive literature review that will focus on identifying educational programs and delivery models used by successful juvenile court school programs, particularly those in large metropolitan areas. Given, the fact that LACOE's focus is to provide students with the skills and knowledge needed to succeed on the California High School Exit Examination and graduate from high school, LACOE also wants to look at other educational delivery models used by cutting edge probation systems.

ADDITIONAL EDUCATIONAL TOURS

On January 30th, I visited several vocational education programs operating within the Bellflower Unified School District. I had the opportunity to see a technology-based program designed by Paxton/Patterson, a company well known for its work in the vocational education field. The specific program chosen by Bellflower Unified offers eight 20-day modules in which students not only learn the history of the field and its relevance to the world of work, but also have an opportunity to obtain some hands-on work-related experience in each module. Some of the modules we observed were transportation, manufacturing, aviation, and robotics.

While in Bellflower Unified, I also visited The Digital Art Academy where students are provided with a series of experiences over four years that include drawing, painting, sculpture, and computer animation, which prepare them for careers or college admittance in the field of art. Each student leaves the program with a professional level portfolio to use in applying for college or work experiences.

Finally, I visited the Automotive Repair Program. In addition to the classroom experiences, the program provides a full hands-on experience for students, including opportunities to work on cars in four auto bays. The program is partnered with a more advanced automotive program at nearby Cerritos Community College.

In each of these programs I saw students engaged in a meaningful way with the learning opportunities. Their engagement and understanding of the relevance of their experiences to the real world of work was impressive and seemed to serve as a deterrent to off-task behaviors.

On February 12th, I visited the New Village Charter High School for girls located adjacent to Saint Anne's Home for Girls in Los Angeles. The school's population is comprised mostly of foster and probation youth, many of whom are pregnant or parenting. A complete intake assessment is done on each student to identify educational and support needs. The instructional environment is engaging and student centered, and the academic program includes high expectations and is relevant to the real world through a variety of vocationally based programs including newspaper production, modeling, dance, and fashion design. The success stories related to these girls and their transition back to the community are impressive.

PROBATION'S STRATEGIC PLAN – FINAL EDUCATION-RELATED OUTCOMES

The Probation Department's primary goal is to increase public safety through reduced recidivism and to effect positive behavioral change among probationers. Inherent in this is the belief that all minors have the right to obtain a quality education, and that it is essential to improve educational standards and outcomes for probation youth, so that they are fully equipped to perform capably whether they leave camp to finish high school, go on to college, or join the workforce, with a goal of becoming productive members of society.

The Department is updating its strategic plan, anticipated for completion in May 2008, and has established the following four education-related outcomes for inclusion in the Department's dashboard reporting system:

- Number and percentage of eligible juveniles that complete high school diploma by completion of probation;
- Number and percentage of eligible juveniles that obtain their G.E.D. by completion of probation;

- Number and percentage of eligible juveniles that successfully enroll in a vocational education program by completion of probation; and
- Number and percentage of eligible juveniles that successfully enroll in a two- or four-year college by completion of probation.

We have reviewed various materials that summarize numerous studies which show that **recidivism decreases when education increases**. Attached for your reference is a February 12, 2008 Legislative Analyst's Office report entitled "*From Cellblocks to Classrooms: Reforming Inmate Education to Improve Public Safety*", as well as a related February 13, 2008 Sacramento Bee-related article.

PREVIEW OF VISION, SOME KEY ISSUES & DRAFT RECOMMENDATIONS

Many probationers have been neglected for years, are educationally disadvantaged, and approximately one-third of our detained youth have some type of specific learning disability and/or other special education need(s). The following provides a preview of the Committee's vision for education reform and draft recommendations. The Committee's vision includes:

- An instructional program that is not only accredited but includes high expectations, educational standards and outcomes for all students so that youth are well equipped to succeed in school or in work life, with a focus on four specific alternative educational pathways.
- The delivery of educational services to youth in the County's juvenile halls and camps based on (1) comprehensive assessments of their criminogenic, educational, health, and mental health needs; and (2) a case plan – including an individual learning plan (ILP) for educational services – that is customized to address each student's strengths, needs, and responsivity issues, with seamless case management.
- The provision of adequate special education in compliance with the Individuals with Disabilities Education Improvement Act that includes timely assessments of special education needs and development of Individualized Education Plans.
- A quality educational system within the juvenile halls and camps that is not just limited to four or five hours of classroom time per weekday. Rather, education needs to be part of each youth's case plan that is the "whole cloth" for improving their respective development during and after their stays in juvenile halls and/or camps – we believe all minors have a right to having the opportunity to obtain a quality, lifelong education.

The key educational reform issues pertain to governance, assessments and case planning, instructional programs and delivery, special education, number of regular teachers, classrooms and equipment, and educational funding. The draft

recommendations fall into the following categories:

- **Educational governance:** Establishing a single point of responsibility and accountability for all aspects of the educational system in the juvenile halls and camps. This may be accomplished through renegotiation of the Memorandum of Agreement between LACOE and Probation or can also be accomplished through a regulatory waiver or special legislation, if necessary. For clarification, the Probation Department is not interested in a takeover of services provided by LACOE but to establish a single point of responsibility and accountability for providing education services to minors under the Department's legal care and custody and eventually becoming the single point of responsibility and accountability for all services provided to these minors, including health and mental health services.
- **Educational responsibilities:** Clarifying the responsibilities of parents and other caregivers, the Juvenile Court, Probation, and educational service providers in the education of youth in the juvenile halls and camps. Ensuring parent or caregiver involvement throughout the process of each youth's adjudication, school enrollment, assessment, detainment, and release, because such involvement is critical in ensuring the healthy development of youth. Educating and training parents and other caregivers about the juvenile justice system, the legal and educational rights of their children, and their involvement in the assessment, case planning, and transitional planning processes to better enable them to carry out their educational responsibilities for their children.
- **Educational assessments and case planning:** Implementing identified changes in assessments, integrated case planning, outcome reporting, and academic records management systems and processes. Establishing ways and means to ensure effective collaboration among Probation, other County departments, LACOE, and other educational service providers in these areas.
- **Instructional programs and delivery:** Redesigning instructional programs to provide the alternative educational pathways identified in the Comprehensive Educational Reform Report. Piloting several new instructional delivery models in the juvenile halls and camps as well as in the community:
 - Establishing a charter school for high school girls and another for high school boys.
 - Partnering with neighborhood public schools to create a place for youth returning from juvenile halls or camps to continue in a compatible instructional environment.
 - Partnering with community-based organizations to utilize one-stop centers for career technical education in conjunction with academic and pre-apprenticeship programs in camps and apprenticeships and/or jobs in the community.

- **Special education:** Providing a full continuum of placements and services (including resource specialists, special day classes, and home hospitals) required under State law, regardless of whether or not these youth attended public schools before they were detained, were ordered to camp, or were released into the community. In some cases, the nature or costs of required special education services may be prohibitive in the juvenile halls and camps, and this may mean that affected youth should not be detained in juvenile hall or ordered to camp.
- **Programming for during/after school hours and weekends:** Restructuring camp and classroom schedules, so there is more time for (a) individual program treatment; (b) homework, tutoring, and educational enrichment; and (c) other activities (aligned with youths' individual case plans) before or after class.
- **Educational facilities, classroom space, staffing and funding:** Providing classrooms that are of adequate size, safe, clean, well maintained, free of graffiti, and surrounded by attractive grounds, so that youth have an appropriate space in which to learn. Ensuring that there is an adequate number of teaching, special education, psychological, and counseling staff to meet the needs of the students in small classroom settings in which youth can be provided the degree of personalized attention required by their case plans. Training of all educational service provider staff in EBP principles and staff skills and that they be held accountable for student learning through a periodic evaluation process that is tied to probation outcomes and performance indicators approved by the Board of Supervisors. Supporting LACOE's proposed legislation to revamp the current JJCS funding model, which is based on ADA, to one that (a) is based on a residential service delivery model, (b) reflects the costs to attract quality teachers to work in the remote locations of the juvenile halls and camps throughout the County, and (c) fully funds education services, primarily special education, that students are legally entitled to receive.
- **Quality assurance and program evaluation:** Establishing a quality assurance (QA) process/system that emphasizes true learning and achievement of Probation's educational outcomes rather than a singular focus on test scores and graduation rates. Holding all educational service providers accountable for learning development by youth in juvenile halls and camps through consistent use of evaluation processes and reporting of key performance indicators via the Dashboard Reporting System being established by the Probation Department.

If fully implemented, the recommendations will enable youth, and emerging adults (18-25 year olds) with opportunities to:

- Receive comprehensive assessments of their criminogenic, educational, health, and mental health needs.

- Receive case plans including individual learning plans (ILPs) or Individualized Education Plans (IEPs) for educational services that are customized to address their needs, strengths, and responsivity issues.
- Have access to, and counseling about, one or more of the following four educational pathways, based on their strengths, interests, abilities, motivation, and achievement levels:
 - Obtaining a high school diploma and passing the California High School Exit Examination (CAHSEE);
 - Obtaining a General Education Development (GED) certificate;
 - Completing career technical education (CTE) programs in preparation for formal apprenticeships and/or employment; and/or
 - Having opportunities to attend two- or four-year colleges.

All four of the above educational pathways are intended to provide avenues for youth and emerging adults to acquire the education needed to obtain gainful employment and to become productive members of their communities.

- Benefit from the County's continuing and expanded commitment to improving the literacy of both juvenile and emerging adult probationers.
- Have timely access to special education assessments and a full continuum of services and placements to address the learning disabilities and special education needs (identified in IEPs) that seem to be quite prevalent among these youth and emerging adults.
- Have access to quality classrooms, educational materials, computer equipment, and other technologies that involve interactive learning by doing (Learning Style 3) as well as more traditional classroom instruction (Learning Style 2) that emphasizes lecture, reading assignments, other homework, and testing.
- Have access to quality CTE and vocational education programs that prepare youth and emerging adults for formal apprenticeships and/or employment in the construction trades, media production, culinary arts, etc., to earn a living to support themselves and their families.
- Have access to both classroom and after-school tutors and mentors that provide these youth and emerging adults with nurturing support that many have been missing for all or most of their young lives.
- Receive updated case plans and integrated transition services to help these youth and emerging adults move from juvenile halls and camps back to their families and communities.

OVERVIEW OF PRESENTATIONS TO KEY STAKEHOLDERS & THEIR INPUT

As indicated below, during the preparation of the draft versions of the report, presentations to various key stakeholders began in January 2008, to enable acquiring their input prior to our anticipated submission of the report to your Board in April 2008.

- On January 23rd, I presented the key issues and recommendations in our draft report to the Children's Planning Council. At the same meeting, the CPC's ad hoc group of representatives from County agencies and educational service providers also provide additional information in support of the recommendations.
- On January 31st, I met with the Education Coordinating Council to discuss the key issues and recommendations in the draft report. After a lengthy discussion, the ECC voted in support of the recommendations.
- On February 12th, I presented the key issues and recommendations in our draft report to the Los Angeles County Board of Education. Although Board members indicated strong support for a number of the report recommendations, they generally expressed strong opposition to any changes in governance of educational services in our juvenile halls and camps.
- On February 13th, I met with the Probation Commission to discuss the key issues and recommendations in the draft report. Commission members will be reviewing the fourth draft of the report, to be released this week, and indicated their desire to vote on the recommendations at the February 27th meeting.

Some representatives from your offices also attended some of these presentations. Overall, the draft report has been well-received by numerous stakeholders who support the implementation of the Committee's recommendations.

In addition, as you may be aware, we will be having our Second Annual Community Corrections Collaborative Conference on March 17, 2008, where we will be sharing our proposed educational reform strategies with our juvenile justice partners. To ensure a collaborative endeavor, we will be providing an opportunity for our partners to provide us any input regarding the draft report. As such, we are planning to provide your Board with a final report including recommendations and a short-term, partial implementation action plan in April 2008.

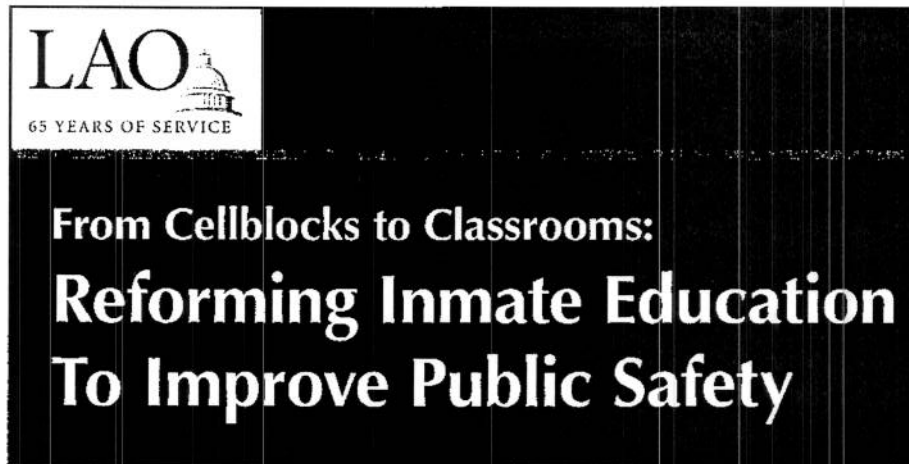
Each Supervisor
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Please contact me if you have any questions or require additional information, or your staff may contact David M. Davies, Chief Deputy, Probation at (562) 940-2511.

RBT:dn

Attachments (2)

c: Michael Nash, Presiding Judge, Juvenile Court
William T Fujioka, Chief Executive Officer
Doyle Campbell, Deputy Chief Executive Officer
Sachi A. Hamai, Executive Officer, Board of Supervisors
Raymond G. Fortner, Jr., County Counsel
Dr. Darline P. Robles, Superintendent, Los Angeles County Office of Education
Rudell S. Freer, President, Los Angeles County Board of Education
Clay Hollopeter, President, Probation Commission
Margaret Todd, County Librarian
Dr. Marvin J. Southard, Director, Department of Mental Health
Cheryl Mendoza, Executive Director, Children's Planning Council
Jose Huizar, Chair, Los Angeles County Education Coordinating Council
Trish Ploehn, Director, Department of Children and Family Services
Nikki C. Friedman, Chair, Los Angeles County Civil Grand Jury
Education & Justice Deputies
Judy Hammond, Public Information Officer



ELIZABETH G. HILL • LEGISLATIVE ANALYST

According to national research, academic and vocational programs can significantly reduce the likelihood that offenders will commit new offenses and return to prison. Despite these findings, the state offers these programs to only a relatively small segment of the inmate population. Moreover, the inmate education programs that do exist suffer from a number of problems that limit their effectiveness at reducing recidivism. To improve prison education programs and public safety, we recommend several structural reforms to increase the performance, outcomes, and accountability of the existing inmate education programs, as well as ways to expand their capacity at a low cost to the state. ■

AN LAO REPORT

Acknowledgments

This report was prepared by Brian Brown, and reviewed by Dan Carson. The Legislative Analyst's Office (LAO) is a nonpartisan office which provides fiscal and policy information and advice to the Legislature.

LAO Publications

To request publications call (916) 445-4656. This report and others, as well as an E-mail subscription service, are available on the LAO's Internet site at www.lao.ca.gov. The LAO is located at 925 L Street, Suite 1000, Sacramento, CA 95814.

EXECUTIVE SUMMARY

The Value of Correctional Education

Each year, more than 120,000 California state prisoners are released back into society after serving their prison sentences. As part of its mission, the California Department of Corrections and Rehabilitation (CDCR) provides a number of services to prison inmates that are intended to improve their likelihood of leading a productive, crime-free life upon release to the community. One such service is education. Various studies show that correctional education potentially offers many benefits and, when good programs are implemented, can offer benefits that more than offset their costs.

Remedial Work Required for CDCR Education Programs

This report finds significant shortcomings in the state's provision of education programs for adult inmates in California prisons. Specifically, we have found low student enrollment levels compared to the number of inmates who could benefit from these programs, inadequate participation rates by inmates, a flawed funding allocation methodology, ineffective case management, and lack of regular program evaluation. Together, these problems mean that the state's significant investment in prison education programs is not returning the full benefits possible in the forms of lower state costs and improved public safety.

LAO Recommendations

We recommend the Legislature take several steps to improve adult prison education programs in the near term. In particular, we recommend that the state fund these programs based on attendance rather than enrollment, develop incentives for inmate participation in programs, and develop routine case management and program evaluation systems. These recommendations would better leverage the state's existing investment in prison education programs to increase the number of inmates who participate as well as improve the quality of the programs provided. In addition, we recommend that after the state has improved the structure of its existing programs, it consider some alternatives to expand the capacity of correctional education programs. The single most significant way to expand capacity at little or no cost to the state would be to place inmates in education and work programs for half days, thereby maximizing participation through utilizing existing resources.

LAO Recommendations to Improve State's Correctional Education System

- ✓ **Structural changes to ensure program performance and CDCR accountability**
 - Fund programs based on actual attendance, not enrollment.
 - Develop incentives for inmate participation and achievement.
 - Fill teacher vacancies.
 - Limit the negative impact of lockdowns on programs.
 - Develop a case management system that assigns inmates to most appropriate programs based on risk and needs.
 - Base education funding decisions on ongoing assessments of programs.
- ✓ **Address structural problems first, expand programs later**
- ✓ **Future options to increase enrollment**
 - Create half-day programs.
 - Partner with Prison Industries Authority to build program space.
 - Other opportunities to expand education programs.

THE VALUE OF CORRECTIONAL EDUCATION

Programs Can Improve Level of Educational Attainment. Research demonstrates that inmates on average have lower educational achievement than the general public. As shown in Figure 1, for example, prison inmates nationally scored significantly lower than the general public on various measurements of literacy in a recent study by the U.S. Department of Education. In addition, adult prison inmates in the United States are significantly less likely than the general public to have obtained a high school diploma or its equivalent. Evaluations conducted by the CDCR have similarly found that only one-quarter of the state's inmate population can read at the high school level. In fact, inmate test scores showed that the average California inmate reads at the seventh grade level upon entry to prison.

Importantly, many research studies have shown that inmates who participate in correctional education programs can experience significant improvement in test scores, as well as other education-related outcomes, such as earning diplomas and obtaining employment. For example, New York reports that in 2005 about 11,000 of its state inmates enrolled in education programs improved reading or math

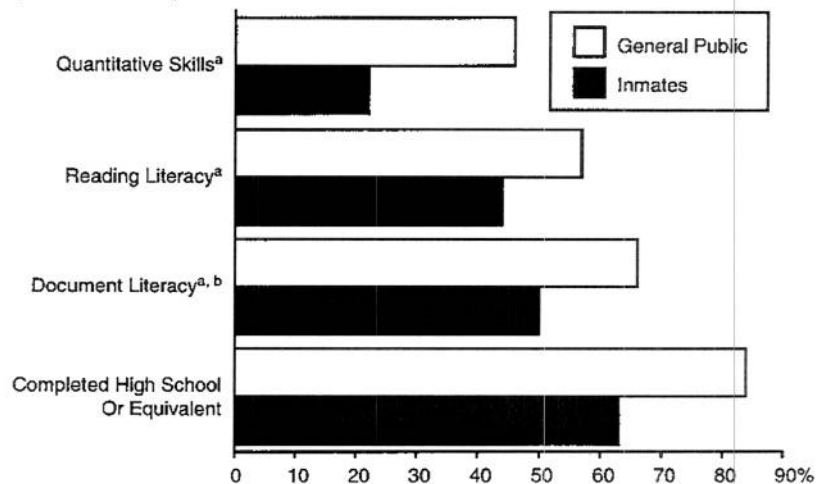
scores to at least a sixth or ninth grade level. Another 2,300 earned the equivalent of a high school diploma.

Prison Education Benefits Public Safety. Correctional researchers and administrators have long been aware of the strong correlation between low educational attainment and the likelihood of being incarcerated. Recent research indicates that correctional education programs can significantly reduce the rate of reoffending for inmates when they are subsequently returned to the community.

For example, one widely cited study that analyzed education programs in three states (Ohio, Maryland, and Minnesota) found that inmates who had participated in prison education programs were reincarcerated 10 percent

Figure 1
Inmates Generally Less Educated Than General Public

Percent Scoring at Basic Level of Literacy or High School Equivalent (National Data)



^aSource: U.S. Department of Education's 2003 Prison Literacy Survey. Figure shows percentage that demonstrate at least "basic" level of competency.

^bMeasures ability to comprehend and complete documents, such as standard forms.

less often on average than a comparison group of inmates who did not. Several evaluations have demonstrated that correctional education programs increase employment rates and wages of parolees, both factors correlated with reduced recidivism. For example, one research study that compiled data from evaluations of 16 educational programs from various states found that program participants were two times more likely to be employed after release than inmates that did not participate in education programs. As shown in Figure 2, another study found that inmate education programs ranked among the most successful strategies for reducing inmate recidivism. Specifically, this research found that vocational education, correctional industries, and academic education all significantly reduce the recidivism rate of participating inmates after they are released from prison. However, some

inmate education programs have been shown to be more effective than others. For example, researchers found vocational education to be more than twice as effective as academic education at reducing recidivism.

These findings are of particular importance in California, where, in 2006, almost 120,000 inmates were released from prison, and there were more than 90,000 "parolee returns" to prison for committing new crimes or parole violations.

Inmate Education Improves Prison Management. In addition, many corrections officials from California and other states have advised us that prison programs, including education, make it easier for prison administrators to safely manage the inmate population. According to these officials, inmates are less likely to engage in disruptive and violent incidents when they are actively engaged in a program instead of being

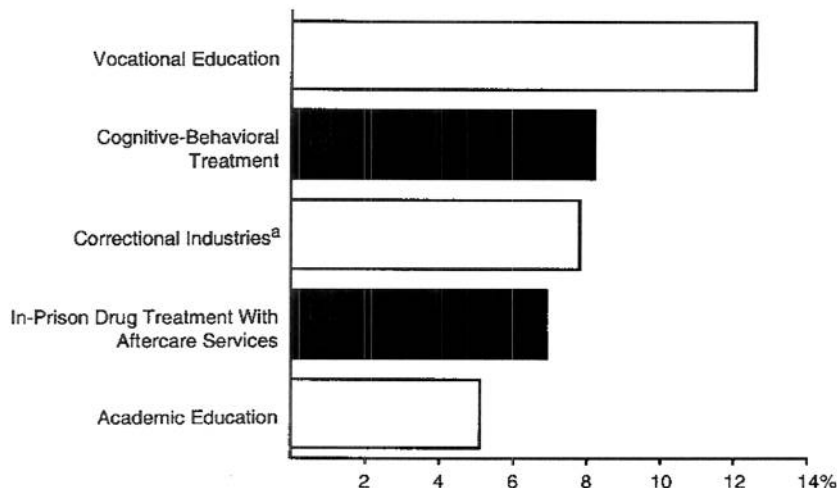
idle. Importantly, this can result in improved safety for state employees, as well as inmates, and result in lower prison security, medical, and workers' compensation costs.

Other Fiscal Benefits for State and Local Governments. To the extent that inmate education programs reduce rates of reoffending as the research indicates, these programs can also result in direct and indirect fiscal benefits to state and local governments.

Figure 2

Inmate Education Among the Most Effective Programs At Reducing Recidivism

Percentage Reduction in Recidivism (2006 National Data)



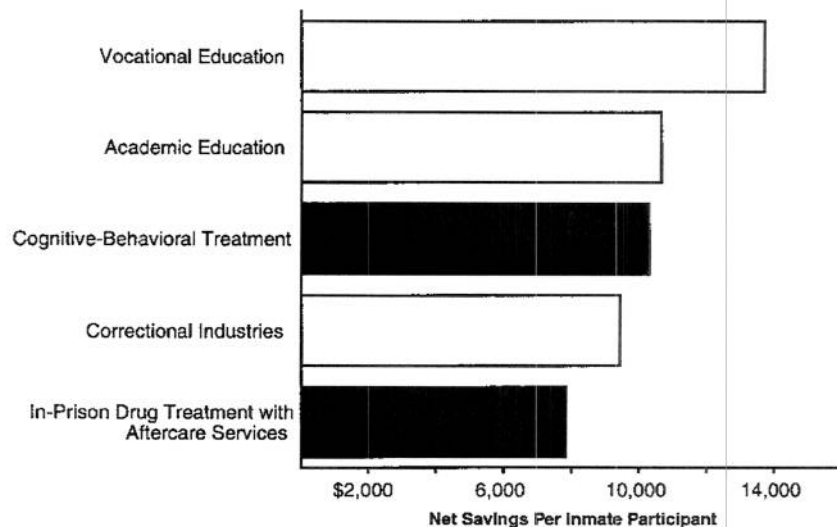
Source: Washington State Institute for Public Policy.

^a In some cases, these programs incorporate vocational education.

The direct fiscal benefits primarily include reduced state court and incarceration costs, as well as a reduction in local costs for criminal investigations and jail operations. The indirect fiscal benefits can include reduced costs for assistance to crime victims, less reliance on public assistance by families of inmates, and greater income and sales tax revenues paid by former inmates who successfully remain in the community.

Some academic research suggests that—taking all of these factors into account—offering services to inmates in prison (commonly referred to as “programming”) generates net savings. That is, they have concluded that these programs result in more fiscal savings to society in the long run than they cost to provide. Figure 3 shows the net savings that result from correctional education programs compared to other prison programs. According to this analysis prepared by

Figure 3
Inmate Education Programs
Among the Most Cost Effective
(2006 National Data)



Source: Washington State Institute for Public Policy.

the Washington State Institute for Public Policy (WSIPP), inmate education programs are among the most cost-effective correctional strategies for reducing recidivism. For example, WSIPP estimated that vocational education programs generate an average of \$14,000 in net savings per inmate participant. These findings suggest that successful education programs can generate \$2 to \$3 or more in savings for every dollar invested to implement them.

THE CDCR EDUCATION SYSTEM

Inmate Education Required By State Laws

Several statutes govern the provision of CDCR education programs and make such rehabilitation programs a part of the department's mission. For example, California Penal Code

2053, enacted in the late 1980s, states the intent of the Legislature “to raise the percentage of prisoners who are functionally literate, in order to provide for a corresponding reduction in the recidivism rate.” To accomplish this objective, state law requires that the department have a state-wide education plan and that every state prison

provide literacy programs designed to ensure that inmates achieve a ninth grade reading level before they are paroled.

In 2005, the Legislature and Governor enacted Chapter 10, (SB 737, Romero), which reorganized and consolidated state correctional departments. One purpose of this reorganization was to increase the importance of rehabilitation programming, including education programs, within the department. The reorganization attempted to achieve this by emphasizing rehabilitation as part of the department's mission.

More recently, the Legislature adopted Chapter 7, Statutes of 2007 (AB 900, Solorio), which requires CDCR to implement a number of improvements to rehabilitation programs generally, and to inmate education programs specifically. Among other changes, Chapter 7 includes requirements to increase inmate education participation rates, reduce teacher vacancies, and conduct risk and needs assessments of inmates sent to prison.

Education Programs Offered by CDCR

The department's adult education system is based on the public school district model. The central CDCR Division of Education and Vocations Programs functions as a statewide school district office headed by the division's director. Each prison operates its education program as an individual school composed of academic, vocational, and life-skills instruction, staffed by teachers, librarians, and support staff. Due to the constant entry and exit of inmates from prison and the classroom, the CDCR organizes classes on a model that provides an individualized, self-paced program for each inmate. Department staff develop standardized curricula for education programs, and a departmental committee is re-

sponsible for ensuring that the curricula conforms with the adult curriculum frameworks established by the California Department of Education. Each prison's education program is accredited by the Western Association of Schools and Colleges, an association that provides accreditation to schools in the general community. Academic teachers in CDCR must have state teaching credentials.

The CDCR has approximately 54,000 inmates enrolled in education programs, about 31 percent of the total inmate population. These programs include academic and vocational education programs, correctional industries, and independent study programs, among others. Figure 4 (see next page) shows the enrollment of each type of correctional education program now taught in California prisons. Each of these types of programs is described in more detail below.

Classroom Academic Education. Nearly all state prisons offer academic education programs in traditional classroom settings taught by state-certified teachers, generally on a ratio of 27 students per teacher. These classes are primarily composed of Adult Basic Education courses which focus on teaching basic literacy (for example, reading and math) and cognitive skills for inmates who read below the ninth grade reading level. In addition, the department offers classes for inmates with limited English proficiency and developmental disabilities, as well as classes that assist inmates in earning a high school diploma or General Education Development (GED) certification (which provides the equivalent of a diploma). In total, about 12,000 inmates are enrolled in classroom academic programs at any given time.

Nontraditional Academic Programs. The CDCR also assists about 6,000 inmates through

alternative academic education programs, such as independent study and distance learning. These education programs do not utilize as much direct teacher instruction as traditional classroom academic programs. In addition, although the department does not allocate funding for college programs, CDCR reports that about 4,000 inmates participate largely on their own in college coursework, typically through correspondence courses.

"Bridging" Education Program. In the past, education programs have not been available to inmates who were (1) housed in reception centers or (2) in regular prison beds but on a waiting list for admission to a program. The 2003-04 Budget Act included funding to begin implementation of an independent study program that continues today to bridge the gap between when an inmate arrives in prison and when he or she is placed in an education program or work assignment.

Instructors provide inmates with workbooks focused on prerelease skills necessary for successful reintegration to communities as well as some academic material. Inmates work independently and are to meet with instructors weekly to assess their progress. The bridging program is staffed at a ratio of 54 students to each instructor position. Approximately 16,000 inmates are currently in bridging programs throughout the state prison system.

Vocational Education. The department offers various vocational training programs in most prisons, totaling almost 30 different specialized trades, including landscaping, automobile repair, and electrical work. In some vocational programs, inmates who complete the required curriculum earn professional certifications in those trades, such as air conditioning repair and welding. The department currently has almost

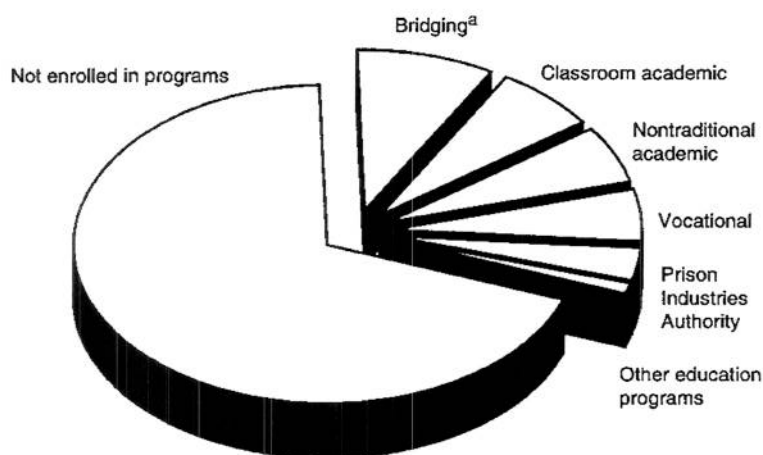
9,000 inmates enrolled in vocational education.

Prison Industries Authority (PIA). The PIA is a state-operated correctional industries organization that utilizes inmate labor to produce goods to sell to government and nonprofit entities. All of PIA's operating costs are funded through the revenues produced from the sale of its products. While the Secretary of CDCR sits on PIA's board of directors, PIA operates autonomously and is not a part of CDCR or its

Figure 4

Education Programs Enroll About One-Third of Inmates

California Data
January 2007



^a Independent study program provided to inmates between the time they arrive in prison and when they are placed in an education program or work assignment.

Division of Education and Vocation Programs. The PIA operates various service, manufacturing, and agricultural enterprises at about two-thirds of the state prisons and employs approximately 6,000 state inmates. While PIA primarily operates as a work program, some individual industries offer the opportunity for participating inmates to earn a vocational certification.

Other Education Programs. Most prisons also offer other programs through their education offices, including prerelease preparation, physical education, and a conflict resolution program called Conflict Anger Lifelong Management. In total, CDCR has just under 2,000 slots for these programs.

How Inmates Are Assigned To Education Programs

Upon entering the state prison system, each inmate is required to take the Test of Adult Basic Education, a test to determine his/her education level. Then, a classification committee made up of institution staff (typically including education staff) assigns each inmate to a work, academic, vocational, or other institution program. Education programs are voluntary, and if an inmate does not want to participate in an education program, the classification staff may assign him to a prison

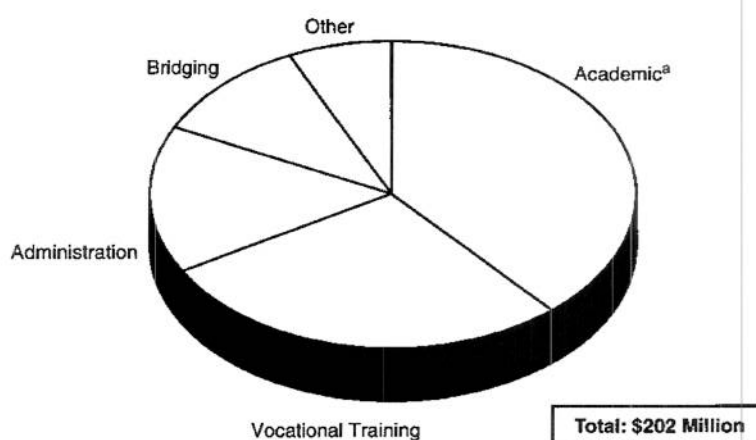
job, such as working in the prison kitchen or laundry.

Program and job assignments are on a first-come, first-served basis, meaning that inmates are generally assigned primarily based on the availability of programs at that institution. If an inmate is assigned to an education program at a prison with no education slots available, he is placed on a waiting list. The department reports that about 26,000 inmates are currently on prison waiting lists for education programs—about 15 percent of the total inmate population.

State Expenditures on Correctional Education

As shown in Figure 5, the state spent about \$202 million for prison education programs in 2006-07, with all but \$7 million (federal funds and reimbursements) coming from the state

Figure 5
State Spending on Correctional Education Programs
2006-07

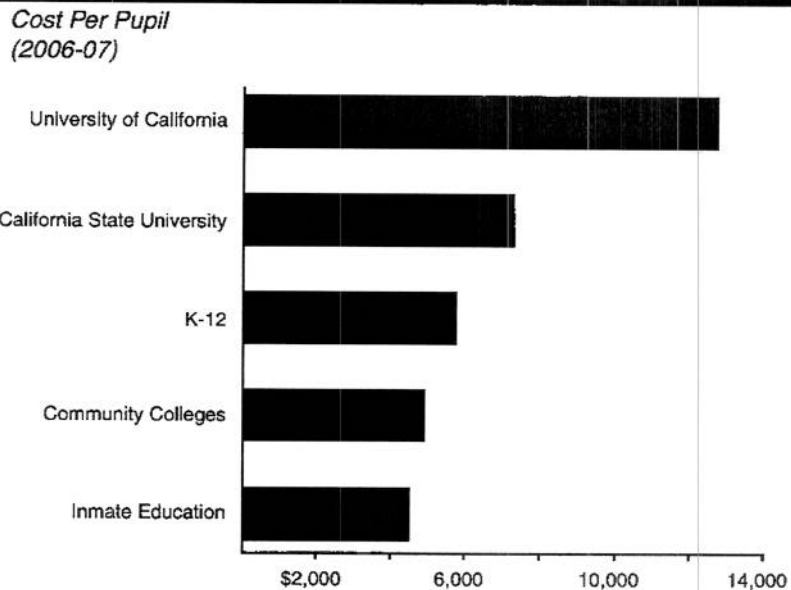


^a Includes traditional classroom and non-traditional academic programs.

General Fund. This represents an increase of about 40 percent compared to spending in the prior year. Most of this funding—approximately 69 percent—is for academic programs, including traditional classroom programs, bridging, and nontraditional programs. The 2007-08 Budget Act includes about \$220 million for these programs. However, at the time this analysis was completed, CDCR had not yet identified how it intended to allot those funds among each of its various education programs. The Governor's budget for 2008-09 proposes about \$225 million for inmate education programs.

Figure 6 shows that average per inmate participant cost for education programs is approximately \$4,200 (not including security costs),

Figure 6
Per-Pupil State Spending for Inmate Education
Comparatively Low



though it is worth noting that the average cost varies significantly by program. By comparison, the state spends about \$5,800 per K-12 student in California, and between \$4,900 and \$12,800 on average per undergraduate student attending a community college, California State University, or University of California campus.

REMEDIAL WORK REQUIRED FOR CDCR EDUCATION PROGRAMS

Based upon our review of the available literature on inmate education programs; site visits to state prisons; and discussions with state and national correctional education researchers, teachers, and administrators, we have identified significant concerns with CDCR's education programs. These are (1) insufficient capacity to enroll

inmates in education programs, (2) low inmate attendance rates, (3) the lack of incentives for inmate participation and achievement, (4) poor case management, and (5) lack of program evaluation. We summarize these concerns in Figure 7 and discuss each of them in more detail below.

Many Inmates Cannot Get an Education Assignment

Programs Reach Only Small Segment of Inmate Population. Our analysis indicates that the current set of CDCR education programs reach only a small segment of the inmate population who could benefit from them. The CDCR now enrolls about 54,000 inmates in education programs for a system with 173,000 inmates, and barely one-half of those—27,000 inmates—are in the core traditional academic and vocational training programs (including those operated by PIA) most likely to improve the educational attainment of inmates and thus their employability upon their release on parole to the community. The remaining programs—such as bridging, distance learning, and physical education—by their less intensive nature, are likely to not be as effective in helping inmates to progress in their education and employability.

The provision of only these 27,000 core education program slots means that these programs are available to about 16 percent of the total inmate population, despite estimates that three-quarters of inmates cannot read at a high-

school level and evidence that most will be unemployed following their release from prison. In fact, three prisons—Deuel Vocational Institute (Tracy), North Kern State Prison (Delano), and Wasco State Prison (Wasco)—offer no traditional academic programs, a situation which appears to violate the state law requiring that all prisons provide educational programming designed to ensure that inmates can read at a ninth grade level. Seven state prisons offer no vocational education programs.

Of particular importance, CDCR is not providing these programs to inmates with the lowest level of educational achievement. The CDCR's most recent estimate is that about 110,000 inmates in the prison population read below the ninth grade level. However, pre-high school level classes are available to only about 8,100—or 7 percent—of these inmates.

Moreover, research has shown that California compares poorly with the rest of the nation in providing education and vocational training to inmates who would most benefit from them—including inmates who have been unemployed frequently, have low job skills, and have less than

an eighth grade education level. As shown in Figure 8 (see next page), only about 6 percent of these “high-need” inmates received education or vocational programming in 1997, a level significantly below that of the rest of the nation and other large states. While this data is a decade old, it does not appear that Cali-

Figure 7
Shortcomings of CDCR Inmate Education Programs

-
- ✓ Many inmates who would benefit do not get an education assignment.
 - ✓ Low rates of attendance by inmates who are enrolled in classes.
 - ✓ Few incentives provided to encourage inmate participation and achievement.
 - ✓ Poor case management that limits ability of the department to target resources in most effective ways.
 - ✓ A lack of program evaluation to ensure the department operates successful programs.

fornia has made significant strides in providing core education programs. In fact, the combined capacity of traditional education, vocational, and PIA programs has actually declined by 29 percent since 1998-99, dropping from 37,000 slots that year to 27,000 slots in 2006-07.

Unfortunately, these findings are symptomatic of the inability of CDCR to provide inmate programs in general. A recent report by a group of national experts brought in to review CDCR rehabilitation programs (generally referred to as the "Expert Panel") found that about one-half of all California inmates are released from prison without participating in any rehabilitation or work program during their most recent prison term. This lack of sufficient programming capacity in education as well as other areas of rehabilitation is probably a significant contributor to California's high recidivism rate compared to the rest of the nation. Moreover, there is evidence that the limited program slots available are not targeted to those offenders who are likely to be released from prison. For example, the PIA reports that almost one-third of its inmate participants are lifers.

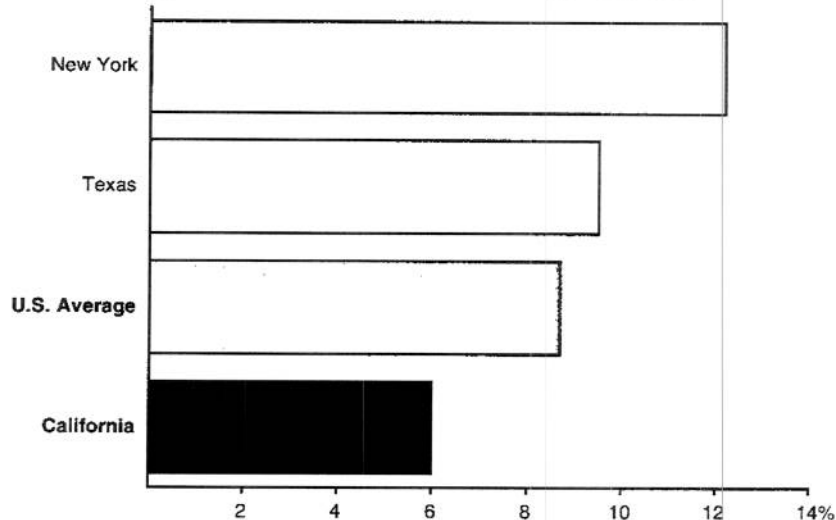
Reasons for Low Enrollment Levels. Education enrollment capacity is low primarily because of a couple of factors. First, the state corrections department has not historically considered education

and rehabilitation programs a primary mission. As such, expanding the provision of education programs or seeking funds to keep pace with the growing population was not an organizational priority compared to other correctional missions. As discussed above, this attitude has begun to change in more recent years, as reflected, for example in the department's reorganization and mission change.

Second, since about 2001, the state has faced significant fiscal problems that have made it difficult to increase its investment in inmate education programs. (Nevertheless, in more recent years, the Legislature and administration have provided more funding for inmate rehabilitation programs in general, and education programs in particular. For example, the 2007-08 budget includes about \$14 million in additional funding for higher teacher salaries and more vocational programs.)

Figure 8
Relatively Few High-Need Inmates Enrolled in Education

Percent of High-Need^a Inmates in Education Program in 1997



^a Inmates who have been frequently unemployed, have low job skills, and have less than an eighth grade education level.

Third, the physical space needed to hold academic and vocational classes is limited in many prisons. Most prisons were originally designed to provide education or rehabilitation programming to only a fraction of all inmates housed in those facilities. Moreover, California prisons are currently housing many more inmates than originally intended. Importantly, Chapter 7 (discussed in more detail above) could help to address some of this problem of a lack of physical space for programs to the extent that it is successful at relieving overcrowding at existing facilities, as well as results in the construction of additional programming space at existing prisons and reentry facilities. However, it is currently unclear how much additional programming capacity will be created by Chapter 7 construction projects, largely because the department's construction plans have undergone significant changes since the enactment of Chapter 7.

Enrolled Inmates Frequently Don't Get to Class

As discussed above, the department has about 21,000 inmates enrolled in classroom academic and vocational programs. However, this

figure overstates the number of inmates who are actually attending classes on a daily basis. In fact, CDCR reports that during 2006-07 on average 43 percent of all enrolled inmates were in class each day. The failure of inmates to attend classes on a regular and consistent basis is an important operational problem because it significantly reduces the effectiveness of these programs. We would note that the attendance levels in 2006-07 were a slight improvement compared to 2005-06, when an average of only 40 percent of enrolled inmates were in class each day.

There are three significant factors that contribute to attendance rates lower than program capacity. These are (1) lockdowns, (2) staffing vacancies, and (3) the state's process for allocating funding for education programs. We discuss each of these in more detail below, as well as discuss the consequences of these low participation rates.

Lockdowns. During lockdowns, prison administrators confine large groups of inmates in their cells, typically in response to inmate violence or the threat of violence. Lockdowns keep inmates—including many not involved in the incident that triggered the lockdown—from participating in

programs such as education classes. Lockdowns are often necessary to maintain the safety of a prison. However, as we discussed in our *2005-06 Analysis of the Budget Bill* (please see page D-34), there is evidence that the department has historically overused this strategy by not targeting the use of lockdowns to the most serious situations. As shown in Figure 9, there were almost 600 lockdowns in

Figure 9
Number of Lockdowns in CDCR Prisons

2006^a

Facility Type (Number of Institutions)	Number of Lockdowns ^b	Lockdowns Lasting at Least		
		30 Days	60 Days	90 Days
Level II and III (9)	193	18	6	4
Level III and IV (8)	115	14	9	5
High Security (7)	171	45	19	15
Reception Center (6)	72	23	17	13
Female (3)	9	0	0	0
Totals (33)	560	100	51	37

^a Includes lockdowns in effect during the period April through December 2006.

^b "Lockdowns" include all lockdown incidents listed in CDCR Program Status Reports.

state prisons between April and December 2006, with 100 of those lasting at least one month, and 37 lasting at least three months. Department records show that inmates are absent from education classes about 27 percent of the time due to lockdowns.

Staffing Vacancies. Inmates also do not attend classes when teaching positions are vacant. According to the State Controller's Office, about 17 percent of the department's 1,500 teacher positions were vacant as of July 31, 2007. Figure 10 shows the percentage of teacher vacancies at prisons in different regions of the state. As shown in the figure, prisons in Southern California and near Sacramento have higher vacancy rates on average than other parts of the state despite their proximity to a larger pool of potential hires. The data also show significant variation in the vacancy rates among the prisons within each region. This suggests

that vacancy problems at individual prisons are only partially due to prison location, and in fact may also be due to other factors specific to individual institutions, such as work environment, budget and management issues, and the frequency of lockdowns that reduce the need to fill teacher positions.

In addition to permanent staff vacancies, teaching positions are often vacant when instructors take short-term leaves, such as

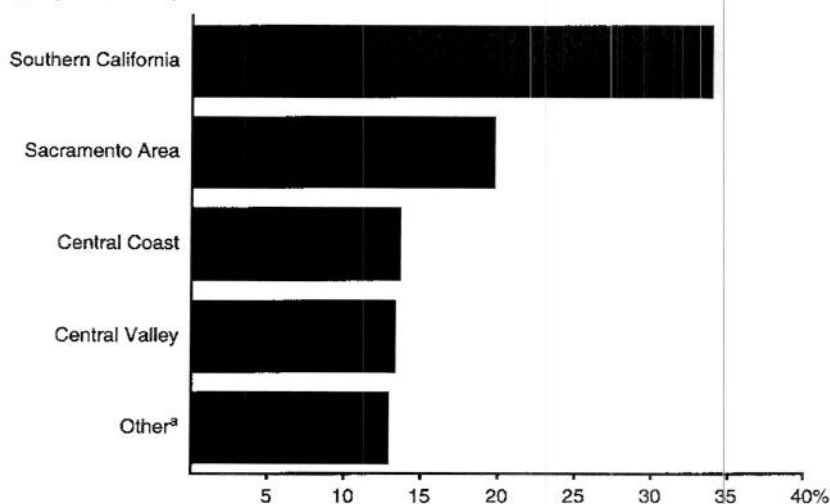
for sick leave, vacation, and training. The CDCR reports that in 2004-05, teachers took an average of 23 days of leave. The department reports that inmates miss education classes 22 percent of the time due to short-term absences of instructors.

Yet, despite staffing leaves, the department historically has not utilized substitute teachers or hired teachers with emergency permits (formerly called emergency credentials) to fill vacancies during staff absences. It is worth noting that in the current year the department has converted 46 of its existing teacher positions to be substitutes and has begun hiring teachers with emergency permits for short periods.

Current Funding Structure. The process by which funding is budgeted for CDCR and allocated to education programs at individual prisons contributes to the problem of inmates not getting to classes. This is because funding levels are not

Figure 10
Prisons in Some Areas of State Face Difficulties Hiring Teachers

*Percent of Established Positions Vacant
(July 31, 2007)*



^a Blythe, Calipatria, Crescent City, Imperial, and Susanville.

based on *actual* class attendance, but rather on *expected* attendance by inmates. Under current practice, CDCR receives education funds based on the number and type of programs it plans on providing in the budget year, generally based on prior-year levels. The department then distributes these funds to each institution based on the number and types of programs expected to be operated at each of those prisons.

However, actual attendance is often below the enrollment level expected because of the frequent lockdowns and staffing vacancies described above. Thus, the department and individual prisons are budgeted to provide more educational services than they actually provide. There is no requirement that CDCR or its individual prisons return education funding to the General Fund when this occurs. This approach reduces the incentive for prison administrators to ensure that education programs are fully staffed and operating and that inmates are actually in class. The department reports that in recent years unspent funds have been used for other purchases, such as for textbooks and computers.

In contrast, funding for public schools primarily reflects average daily attendance (ADA) rates which measure how often students are actually in class rather than the number of students enrolled in a school. The ADA system provides a strong incentive for schools to do as much as they can to ensure that students are in the classroom.

Limited Incentives for Inmate Participation and Rehabilitation

Given that participation in education programs is voluntary, it is important that inmates have appropriate incentives to participate in rehabilitation programs in order to maximize the public safety and fiscal benefits. Our examination

found that CDCR provides few incentives for inmates to participate in educational and vocational programs, as compared to the incentives for inmates to participate in other types of programs. In fact, the Expert Panel brought in to evaluate CDCR rehabilitation programs cited a lack of appropriate incentives as one of the most significant shortcomings of CDCR rehabilitation programs.

Few Incentives to Participate in Education Programs. Our analysis indicates that there is currently a disincentive for inmates to participate in education as compared to other prison programs. Most inmates who enroll in education programs earn work release credits equal to one day off from their sentence for each day in the program (commonly referred to as “day for day”). While these credits do provide some incentive to be in an education program, other programs provide greater immediate benefits, from an inmate’s perspective, in terms of a greater sentence reduction or pay.

For example, inmates in conservation camps earn two days off of their prison sentence for each day in the program. Inmates assigned to a job in prison, such as in the kitchen or laundry, receive the same day-for-day credits as for an education program, but additionally earn a small income. Moreover, inmates assigned to non-traditional academic programs such as distance learning, do not earn any work release credits for their participation unless they are also enrolled in another credit-earning program at the same time.

Poor Case Management of Offenders

Lack of Case Management... Case management refers to the idea of placing the “right” inmates in the “right” programs to maximize the effectiveness of those programs. Effective case management, therefore, ultimately requires

(1) identifying the programmatic needs of inmates, (2) targeting programs to the most appropriate offenders, and (3) tracking the progress of individual cases on an ongoing basis. Currently, our analysis indicates, CDCR does not carry out any of these tasks on a statewide or systematic basis.

Typically, effective case management is begun by assessing the risks and needs of inmates using a formal assessment tool. This assessment can tell prison administrators what program(s) or treatment(s) will best serve an individual inmate. For example, if it is determined that an individual inmate's criminal history is most closely related to addiction and unemployment, then the most appropriate programs for that offender might be substance abuse treatment and vocational training. Currently, CDCR does not utilize formal needs assessments of all inmates entering state prison, except for pilot assessment programs at four prisons. The administration's 2008-09 budget proposes to expand the use of these assessments to all reception centers in 2008-09.

The CDCR also does not target its programs to the most appropriate offenders. Instead, CDCR generally assigns inmates to programs on a first-come, first-served basis. Such an approach likely results in some inmates who would greatly benefit from participation in a particular program not being assigned to the most appropriate programs, while those limited program slots may instead be filled with other, less appropriate offenders.

The challenge of putting the right inmates in the right programs is exacerbated in CDCR prisons by the fact that the department does not currently operate a centralized case management database for inmate education programs. Instead, each prison operates its own education data tracking system that includes some common information, such as attendance and number of

inmates passing GED tests. These data systems are neither centralized at headquarters nor comprehensive in the information collected. Nor are these fragmented systems linked to other inmate or parole data systems with potentially valuable information—such as age, mental illness, employment history, or time remaining on the sentence—which would assist correctional staff in making case management decisions.

Consequently, the absence of centralized data systems for education programs makes it difficult for the department to track the education level, placement history, and program advancement of individual inmates. Without such a system, staff cannot easily obtain current information about inmates to determine the most appropriate program placement, including whether the inmate would be best served in a certain level of an academic program, a vocational program, or in a prison job. The fragmented and incomplete information technology (IT) systems are particularly problematic in a prison education setting where inmates frequently move between institutions, as well as from prison to parole and back again to prison.

...Reduces Effectiveness of Programs. The lack of systematic and effective case management at CDCR means there is a high probability that many of the "wrong" inmates are ending up in the "wrong" programs. If inmates are not participating in the best treatment programs for them, these programs, in turn, are likely to be less effective at reducing recidivism than they could be if targeted to the right offenders.

Lack of Program Evaluation Limits Effectiveness

Department Lacks IT Systems Necessary to Evaluate Education Programs. As discussed above, the department's existing IT systems

are insufficient to support case management of individual inmates in CDCR programs. There is another significant IT-related problem in that CDCR's IT systems are also not designed to allow tracking of performance by the education system as a whole or for specific programs. As a result, the department is unable to easily identify program outcomes such as grade level advancements, rates of program completion (for example, the number of inmates obtaining their GED or vocational certification), and impacts of programs on parole outcomes, including employment and recidivism. For example, although state law requires the department to get inmates to read at a ninth grade level upon release, the department cannot say how often it is complying with this requirement.

Current IT Project Will Provide Limited Benefit to Programs. The CDCR is in the process of developing a new centralized case records database system to be used throughout its institutions and headquarters called the Statewide Offender Management System (SOMS). The SOMS, currently in the design phase and scheduled to be implemented in 2013, is expected to contain information on inmates' criminal history, classification and housing, medical and mental health records, and parole revocations. While this system will be central to managing the inmate population in many respects, it will, as it is now planned, contain only limited information regarding an inmate's participation in education programs.

Vocational Programs: An Example of a Program That Could Benefit From Program Evaluation. Research shows that the effectiveness of vocational education programs may largely depend on the specific vocational certification

an inmate earns and whether there is an active job market for those skills in the community to which he is being released. Texas inmates who earned machinist or welder certificates, for example, were more than three times more likely to be employed in their field than inmates earning a certificate in automotive repair.

However, CDCR does not currently have the IT capability to track and measure employment or recidivism outcomes of parolees to determine which vocational education programs are most effective. One would expect that positive outcomes for inmates would be associated with participation in those vocational programs that are in growing industries that need new workers, as well as provide a wage that is likely to be an incentive for the offender to work rather than return to criminal activities. As shown in Figure 11 (see next page), not all of CDCR's current vocational programs are in industries with projected annual job growth of over 2,000 jobs and where the average wage is more than \$15 per hour. Also, several of CDCR's vocational programs do not provide participating inmates with an opportunity to earn a professional certification which would better enable them to gain employment after release from prison. While not definitive, these findings suggest that some of these vocational programs may not be as effective as others at leading to employment after release, as well as reducing recidivism. An IT system that allowed CDCR to evaluate the effectiveness of specific vocational programs would provide valuable information to allow the state to make strategic decisions about which of these programs to continue, discontinue, or expand in order to maximize the benefits achieved from the state's investment in prison vocational programs.

RECOMMENDATIONS TO IMPROVE PERFORMANCE, OUTCOMES, AND ACCOUNTABILITY

Based on our review of the research, discussions with CDCR, discussions with national experts, and site visits to existing institutions, we find there are a number of steps the state could take to address the

shortcomings of current CDCR education programs. Specifically, we recommend a series of structural reforms to better ensure that the state's current investment in correctional education is better managed and provides a significant return through reduced reoffending in the community and fewer returns of offenders to prison. Importantly, given the state's fiscal condition, each of these recommendations can be implemented with minimal new costs or utilizing existing resources. Once these steps are underway, the Legislature may wish to consider various additional steps to expand education programs to more state inmates, including one key recom-

mendation that could be implemented primarily utilizing existing departmental resources. Our recommendations are summarized in Figure 12 and described in more detail below.

Figure 11
Inmate Vocational Programs
Not Always Targeting Growth Industries

CDCR Programs	Enrollment (2007)	Criteria		
		Projected Annual Job Growth ^a >2,000	Hourly Wage ^a >\$15	Inmates Earn Professional Certification
Auto body	446		X	X
Auto mechanics	497	X	X	X
Building maintenance	350	X	X	X
Carpentry	190	X	X	X
Cosmetology	53			X
Dry cleaning	332			
Electrical	202	X	X	
Electronics	744		X	X
Graphic arts	548		X	
Household repair	27	X	X	
Installer/taper	27		X	
Janitorial	611	X		
Landscape gardening	581			X
Machine shop	157	X	X	X
Machine shop—automotive	54	X	X	
Masonry	243		X	X
Mill and cabinet work	385			X
Office machines	27		X	
Office services and technologies	1,697	X		X
Painting	193	X	X	X
Plumbing	176	X	X	X
Refrigeration	294		X	
Roofer	27		X	
Sheet metal	50		X	X
Small engine repair	360			X
Welding	534			X
Total	8,805			

^a Source: Employment Development Department occupational employment projections (2004-2014).

STRUCTURAL CHANGES TO ENSURE PROGRAM PERFORMANCE AND CDCR ACCOUNTABILITY

As described above, there is significant research to demonstrate that correctional education programs can significantly reduce the recidivism rate of inmate participants. However, several structural problems in CDCR's programs—problems that are systemic and state-wide—result in California not achieving the full potential benefit of its more than \$200 million invested annually in prison education programs. Therefore, we recommend several steps the state should take to ensure better return on its current investment in correctional education programs.

Fund Programs Based on Actual Attendance, Not Enrollment

Establish Education Funding Formula... We recommend restructuring the way that inmate

education programs are funded in CDCR. Instead of providing a base level of funding that is unaffected by actual attendance, as is currently the case, we recommend instituting a funding formula for education programs that is directly tied to actual inmate attendance, similar to ADA formulas used in public K-12 schools and adult education programs. Such a funding mechanism would need to factor in the different staffing levels, as well as educational supplies and equipment costs necessary for different types of academic and vocational programs. This could involve, for example, establishing different funding formulas for high school education than for bridging or vocational programs.

Under our proposal, the amount of total funding for education would be appropriated in the annual state budget, just as it is now. However, this funding would be directly linked to projected attendance for academic and vocational programs. If actual attendance in academic

programs fell short of these projections, a proportionate share of the education funding would automatically revert to the General Fund. Because some number of student absences is reasonable and unavoidable, we recommend that 20 percent of the funding not be subject to the ADA formula. This would protect the department from losing education funding for student absences that occur for reasons out of

Figure 12

LAO Recommendations to Improve State's Correctional Education System

-
- ✓ **Structural changes to ensure program performance and CDCR accountability**
 - Fund programs based on actual attendance, not enrollment.
 - Develop incentives for inmate participation and achievement.
 - Fill teacher vacancies.
 - Limit the negative impact of lockdowns on programs.
 - Develop a case management system that assigns inmates to most appropriate programs based on risk and needs.
 - Base education funding decisions on ongoing assessments of programs.
 - ✓ **Address structural problems first, expand programs later**
 - ✓ **Future options to increase enrollment**
 - Create half-day programs.
 - Partner with Prison Industries Authority to build program space.
 - Other opportunities to expand education programs.

its control. The department may need to provide the Legislature with an estimate of how often such absences occur. We recommend that the Legislature adopt the following statutory language to implement this change:

**Proposed Language—
Education Funding Formula**

The budget for the California Department of Corrections and Rehabilitation includes funding for the operation of various academic and vocational education programs in state prisons. The administration's budget request for this funding shall identify the expected average daily attendance level for each education program. If the actual average daily attendance for any of these programs falls below the level identified in the budget request, a share of funding that is proportionate to the difference between the expected and actual attendance levels shall revert to the General Fund. Because some level of student absences is reasonable and unavoidable, the budget request for this funding may include a base share of 20 percent that is not subject to reductions due to actual attendance falling below the expected level. This section shall become effective starting in the 2009-10 fiscal year.

...To Increase Actual Attendance Rates...

Establishing an ADA formula would provide an incentive to the department to ensure that inmates go to programs regularly, knowing that if inmate attendance is low, the department will lose funding. This could also prompt CDCR to become more strategic and encourage it to resolve teacher vacancy and lockdown problems that lead to low attendance. For example, permanent teaching positions could be converted

to substitute positions at prisons with historically high vacancy rates to ensure that programs continue to operate even when vacancies occur.

...And Improve Fiscal Accountability. The implementation of an ADA funding formula would improve accountability by more accurately aligning budget authority for education programs with actual expenditures on in-classroom instruction. In other words, the Legislature would know that CDCR funds spent on inmate education were actually used to educate inmates.

**Develop Incentives for Inmate
Participation and Achievement**

Various Incentives Can Be Used in Correctional Settings. While California no longer uses indeterminate sentencing for most inmates as a motivator for inmate rehabilitation, there are a number of other measures CDCR could take to provide greater incentives for inmates to participate in rehabilitation programs, including education programs. Corrections administrators and experts suggest that several aspects of prison life that inmates care about can be used to encourage certain behavior, including participation and advancement in education programs. These aspects include inmate pay and access to canteen, food, recreation, visiting, and housing. Providing an incentive for inmates to not just enroll, but also to advance, in programs is particularly important. That is because research demonstrates that achievement of certain education levels, such as basic literacy and GEDs, are even more highly correlated with reduced recidivism than just participation in education programs. As Figure 13 shows, among the nation's largest prison systems, California has among the lowest percentage of the inmate population earning a GED or vocational certification.

To accomplish this, inmate pay for prison jobs could be linked to their level of educational attainment. Under such an approach, an inmate who has advanced to high school level classes might earn more in his prison job than when he was in middle school level classes. The top paying prison jobs, provided by PIA, could be reserved for inmates with a high school diploma or equivalent. This approach would not only provide an incentive for inmates to enroll in school, but importantly to successfully advance in their studies. The CDCR could similarly provide benefits such as extra visiting or recreation time, choices of better housing or work options, or special meals for those inmates who advance to higher academic levels. Importantly, the department could provide such incentives at little or no additional cost to the state. Another approach that some states use— Pennsylvania, for exam-

ple—is to pay inmates in education program, similar to how inmates are already paid for prison jobs such as working in a kitchen or laundry.

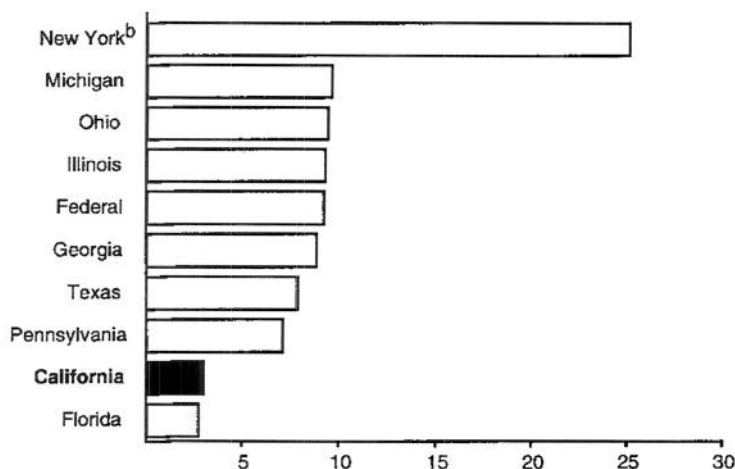
Even within the framework of California's determinate sentencing laws, it is possible to enact statutory changes to use an earlier release from prison as an incentive for education program participation and success. Most inmates who work or participate in education programs already earn day-for-day release credits. However, inmates who work in CDCR's conservation camps can earn additional work release credits for their services to the state. One option the Legislature may wish to consider is enacting a law providing "education release credits" for inmates who achieve certain levels of educational attainment while in prison. For example, an inmate who earned a vocational certification or GED while in prison could receive additional

credits towards his/her release date. As with all early release credits, they could be revoked if an inmate had serious disciplinary infractions while in prison. Also, these bonus credits could be capped to ensure that no inmate earns an inordinate amount of time off of his/her sentence. An additional benefit of this recommendation is that it would result in savings to the state as these inmates served shorter terms in prison because of their suc-

Figure 13

Relatively Few California Inmates Earn GEDs^a and Vocational Certifications

GEDs and Certifications Per 100 Inmate Population



^a GED: General Education Development certification.

^b Reflects number of inmates completing components of vocational certification programs.

Note: Data is for most recent year available for each state.

cessful participation in education programs. These savings could reach tens of millions of dollars annually, depending upon the amount of additional early release time that could be earned for various types of achievement, as well as the number of inmates who achieved specified educational goals each year. In the longer term, these savings could be used to offset other costs to expand and improve prison education programs. Figure 14 lists several examples of incentives that could be used to encourage inmate participation in education programs.

Should Inmates Be Provided Additional Incentives? Some may wonder why it is important to provide incentives, such as a reduction in the time served in prison, for inmates to participate in education programs. Research finds that such incentives are important because they can improve education program outcomes, improve institution security, and ultimately improve public safety. Many correctional experts have concluded that motivation plays an important role in determining the level of inmate participation in prison programs, and the extent to which they will advance in those programs. Therefore, well-designed incentives can encourage inmates to not only participate but also focus on educational success and advancement. The development of educational skills could assist inmates to

transition successfully to their communities after their release from prison, reduce recidivism, and hence, improve public safety.

Fill Teacher Vacancies

Utilize Substitute Teachers. As described above, vacancies in teaching positions and frequent sick leave, vacation, and other types of leave limit the opportunity of inmates to attend education programs. The *2007-08 Budget Act* does include additional resources to provide pay increases for teachers which could assist recruitment and retention efforts. Moreover, CDCR reports that it has begun converting some regular teacher positions to substitutes to allow them greater flexibility to cover teacher vacancies and leaves. We think this is a reasonable approach given the frequency with which education programs are idle and because this approach

Figure 14

Options to Provide Incentives for Inmates to Participate and Advance in Education Programs

-
- ✓ Provide a higher work release credit rate for inmates participating in education programs and/or a bonus amount of credit that is earned for successful completion of an education program, such as advancement to high school level courses or earning a vocational certification.
 - ✓ Link the pay scale for inmate jobs to educational attainment. For example, could require attainment of a General Education Development (GED) certification before an inmate can be assigned to highest paying prison jobs, such as Prison Industries Authority.
 - ✓ Pay inmates who participate in education programs. Pay a higher rate for more advanced education levels.
 - ✓ Give inmates in education program better housing assignments, such as housing in newer facilities, more out-of-cell time, or other privileges. Give the best assignments to those inmates who have earned their GED or vocational certification.
 - ✓ Allow inmates in education programs to have more frequent, higher quality, or priority access to visiting, canteen, meals, and recreation.

allows the department to address these problems utilizing existing resources. The trade-off, however, is that the conversion of teacher positions to substitutes reduces the potential enrollment level of the education system by removing regular instructors.

In the longer term, should the state's fiscal condition improve, this problem of few substitute teachers could be reduced if the department were permanently funded for substitute teachers. We estimate that it would cost about \$11 million annually to provide sufficient additional funding to hire additional substitute instructors to fill in when sick leave and vacation are taken by regular instructors. We estimate that additional funding of about \$7 million would be sufficient to hire enough substitute teachers to fill in for vacancies in teacher positions (assuming a standard 5 percent vacancy rate).

However, it makes little sense for the Legislature to add funding for such purposes to CDCR's budget until after the department demonstrates that it is able to significantly reduce its current high-vacancy rates for regular teachers.

Allow Teachers With Emergency Permits.

Unlike public schools, CDCR has not historically been allowed to hire teachers with emergency permits to fill vacancies. Teachers with emergency permits may only be hired as short-term substitutes, despite the hiring difficulties experienced by the department in many locations in the statewide prison system. We recommend that the Legislature direct the State Personnel Board—the state agency responsible for setting classification requirements for positions in state service—to amend the classification requirements for teachers in correctional facilities so that the department could hire teachers with emergency permits in those locations where there is difficulty

hiring and retaining fully credentialed instructors. We also recommend that the Legislature direct CDCR to provide regular reports on its progress in utilizing teachers with emergency permits, as well as substitutes, consistent with the following supplemental report language:

Proposed Language—Substitute Teachers and Emergency Permits

The prison education programs operated by the California Department of Corrections and Rehabilitation (CDCR) have historically experienced high vacancy rates among academic teacher and vocational instructor positions. It is a state priority that CDCR implement strategies to successfully reduce these vacancy rates so as to ensure that inmates are regularly engaged in meaningful rehabilitation programs that will reduce the likelihood that they reoffend after release to the community. No later than January 10, 2009 and annually thereafter, the CDCR shall provide a report to the fiscal committees of both houses identifying what steps the department has taken to reduce or otherwise address the problem of teacher and instructor vacancies, including but not limited to the use of substitute teachers and teachers with emergency permits. This report shall also include information on the progress made in reducing these vacancy rates at each institution. This report may be provided as part of the supplemental report required under Penal Code section 2063(c).

In the event that even allowance of teachers with emergency permits does not effectively reduce vacancy rates, it also may be worth considering whether credentials and permits should be required for prison teachers. Some research into

public school systems finds little evidence that teaching credentials result in better outcomes for students generally. Given the state's difficulty hiring teachers in prison, it might make sense to change the minimum requirement to a bachelor's degree for prison teachers. This approach may make particular sense given that CDCR has recently implemented a standard curriculum for its education programs statewide. The department would still be responsible for providing necessary training to new teachers.

Reduce the Negative Impact of Lockdowns on Programs

We recommend that the department modify its current policies related to lockdowns. In particular, the Legislature should direct the department to reevaluate its current policies that result in inmates being barred from attending education and other rehabilitation programs even when they were not involved in the incident that caused the lockdown. For example, the department could explore establishing a policy of allowing inmates in these programs out of lockdown sooner than other inmates to attend their programs. One possible way of accomplishing this could be to generally have prisons house all inmates in education programs in the same housing units or prison yards rather than spread them among various housing units across the prison, as is currently the case. If a serious incident occurs in a different housing unit, it might make it easier for prison administrators to release the programming inmates to their programs, knowing that they were not directly involved in the incident. This type of strategy would demonstrate the importance the department places on rehabilitation and provide a disincentive for inmates enrolled

in education programs to participate in fights that lead to lockdowns.

Given the continuing major impact of lockdowns on education and other programs, the department should report at budget hearings on the efforts it has made to reduce the use of lockdowns that interfere with inmate programming.

Develop an Inmate Case Management System

We recommend that the Legislature direct CDCR to take steps to improve its case management of inmates in the education system (as well as other programs designed to reduce recidivism). The CDCR should develop policies and protocols that more consistently ensure that the right inmates are assigned to the right programs and that the progress of inmates is tracked consistently while they are in these programs.

Improving Program Placement Decisions.

As described earlier, it appears that CDCR's current procedures generally place inmates in programs on a first-come, first-served basis rather than on an assessment that determines who would benefit most from participation in a particular program. Placement decisions should instead be made based on such factors as an individual inmate's risk to reoffend, relative need for different programs and treatment, and motivation to participate and change behavior. For example, research generally finds that inmates with high risk factors should be steered toward more intensive and multifaceted treatment services—such as those that address multiple areas of risk, including criminal thinking, substance abuse, mental health, and literacy—because they are the ones who are likely to benefit the most from the services. Lower-risk inmates can also benefit from programs, but generally require less

intensive treatment that is more focused on their specific areas of need, such as education. See the text box on page 26 for a more detailed discussion about some of the factors that are critical to the effective case management of criminal offenders and operation of correctional programs.

Currently, CDCR is pilot testing a risk-needs assessment called the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) at some prison reception centers with the intention of using this tool to help make program placement decisions. We think this is potentially a good approach. However, it is not clear at this point what criteria CDCR intends to use to make those placement decisions and how these criteria will be formalized in department policies. Specifically, it is unclear how CDCR will use the information provided by COMPAS assessments to improve case management decisions. For example, will inmates identified by COMPAS as high risk be given first priority to programs? Will inmates with a high need for education services be given higher priority for transfer to institutions with those programs available? What priority will lifers receive for education services compared to determinately sentenced inmates? The Legislature should direct CDCR to address these types of questions at budget hearings, particularly since the department plans to expand the use of COMPAS in 2008-09.

Potential Benefits of an Education Case Management System. A formal risk-needs assessment tool such as COMPAS would provide important information that should be incorporated into a broader case management IT system. At the time that this report was prepared, CDCR had proposed to create a case management database for education programs called Education for Inmates/Ward Reporting and Statewide Tracking

(EdFIRST). The proposal is estimated to result in about \$10 million in one-time implementation costs and \$4 million in costs annually thereafter to maintain the system. The administration's 2008-09 budget proposes to spend \$1 million in the budget year to begin implementing EdFIRST. The implementation costs for EdFIRST are proposed to be funded from a \$50 million appropriation provided in Chapter 7 for rehabilitation programs. Subsequent legislation requires that priority for spending this appropriation be given to specific purposes such as risk-needs assessments and expanding education programs. While the statute does not specifically give priority to a case management database, the proposed use of these funds would appear to be consistent with the measure's requirements.

An education case management IT system—such as proposed by CDCR—would help teachers and correctional counselors to make appropriate program placements and to track participation and advancement of individual inmates in their educational programs, likely leading to better outcomes for individual participants. However, we will analyze the administration's IT proposal in more detail as part of our review of the 2008-09 budget plan.

Base Education Funding Decisions on Ongoing Assessments of Programs

The education IT system discussed above should do more than help guide decision making pertaining to individual inmates. It should also be part of a system to assess the effectiveness of education programs and determine, over time, how the state could get the greatest results for its investment in these programs. For example, an IT system that tracked the outcomes of individual inmates could aggregate that data department-

wide in order to assess overall progress on increasing attendance rates, test scores, GED and vocational certification completion rates, as well as on decreasing inmate recidivism. In addition, the department could use the data collected to compare outcomes at individual prisons and programs to identify unsuccessful programs which may need to be improved or, in some cases, eliminated entirely. Over time, such information would provide the Legislature and the department with valuable information about how to best target limited state resources for inmate education to generate the greatest benefit. We believe these program evaluations could largely be accomplished within existing resources because

the Legislature has recently provided additional funding for CDCR to bolster its internal research office, primarily to analyze the effectiveness of department programs.

ADDRESS STRUCTURAL PROBLEMS FIRST, EXPAND PROGRAM CAPACITY LATER

As described above, CDCR must overcome significant structural barriers to ensure that the more than \$200 million a year now being spent on inmate education is used in the most effective way possible. These findings imply that any additional investment made at this time to expand the capacity of education programs could well be a poor expenditure of funds because there

CRITERIA FOR EFFECTIVE CORRECTIONAL REHABILITATION PROGRAMS

Research shows that successful correctional rehabilitation programs—whether they are education, substance abuse, mental health, or other types of programs—and the case management systems that place inmates into those programs have several key components. The California Department of Corrections and Rehabilitation should create a process for evaluating whether its programs—including, but not limited to, education programs—adhere to these criteria, which we describe below.

- **Program Model.** Programs should be modeled on widely accepted principles of effective treatment and, ideally, research demonstrating that the approach is effective at achieving specific goals.
- **Risk Principle.** Treatment should be targeted towards inmates identified as most likely to reoffend based on their risk factors—for example, those inmates who display high levels of antisocial or criminal thinking, low literacy rates, or severe mental illness. Focusing treatment resources on these inmates will achieve greater net benefits compared to inmates who are low-risk to reoffend even in the absence of treatment programs, thereby generating greater “bang for the buck.”
- **Needs Principle.** Programs should be specifically designed to address those offender needs which are directly linked to their criminal behavior, such as antisocial attitudes, substance abuse, and illiteracy.

would be little assurance that the department was putting these monies into effective programs. Therefore, we recommend that the steps to address these structural problems be adopted before the state significantly expands the capacity of the prison education system.

FUTURE OPTIONS TO EXPAND EDUCATION ENROLLMENT AT LOWER COST

Once CDCR has improved its education programs, the Legislature may wish to look at ways to expand such programs to a larger share of the state inmate population. The traditional approach would be to add teachers and vocational instructors, as well as related equipment, supplies,

and program space, much the same way such programs have been implemented in the past. However, the Legislature should consider several other options to increase the number of inmates participating in education programs at a significantly lower cost than would otherwise be the case. In particular, we would recommend implementation of half-day programs.

Create Half-Day Programs

We recommend that among the first changes the Legislature consider after CDCR addresses its structural problems is to restructure CDCR's classroom academic education and other programs from full-day to half-day classes. Currently,

- **Responsivity Principle.** Treatment approaches should be matched to the characteristics of the target population. For example, research has shown that male and female inmates respond differently to some types of treatment programs. Important characteristics to consider include gender, motivation to change, and learning styles.
- **Dosage.** The amount of intervention should be sufficient to achieve the intended goals of the program, considering the duration, frequency, and intensity of treatment services. Generally, higher-dosage programs are more effective than low-dosage interventions.
- **Trained Staff.** Staff should have proper qualifications, experience, and training to provide the treatment services effectively.
- **Positive Reinforcement.** Behavioral research has found that the use of positive reinforcements—such as increased privileges and verbal encouragement—can significantly increase the effectiveness of treatment, particularly when provided at a higher ratio than negative reinforcements or punishments.
- **Post-Treatment Services.** Some services should continue after completion of intervention to reduce the likelihood of relapse and reoffending. Continuing services is particularly important for inmates transitioning to parole.
- **Evaluation.** Program outcomes and staff performance should be regularly evaluated to ensure the effectiveness of the intervention and identify areas for improvement.

inmates attending education programs go to class six hours a day, five days a week. We propose, instead, establishing two three-hour sessions each day, one in the morning and one in the afternoon. Inmates would attend either the morning or the afternoon session. Generally, during the morning or afternoon period in which an inmate is not in an educational program, he/she would go to work at a prison job, participate in other prison rehabilitation programs, or study. In some cases, it may be useful to maintain vocational programs that provide official certification as full-day programs to allow inmates to complete the training programs in the requisite period of time.

Moving to half-day programs would increase enrollment capacity at little or no cost to the state, improve program effectiveness, and create greater incentives for inmate participation, as discussed below.

Increased Education Program Capacity.

Instituting half-day programs would immediately increase the capacity of the classroom academic and some vocational programs, thereby allowing at least 12,000 more inmates to participate in an educational program. This capacity expansion would allow CDCR to come closer to meeting current statutory requirements to provide education services to low-performing inmates. Moreover, the increase in program capacity would occur without requiring significant additional resources. The department could provide the additional program capacity with existing program staff and space. There may be some additional resources required to provide school supplies, such as textbooks, to more inmates. We estimate this annual additional cost to be a couple million dollars at most.

Increased Program Effectiveness. In addition, our analysis indicates that a shift to half-day classes could provide more effective programs, at least for some inmates. Half-day education programs are commonly used in other state prisons, and several correctional education administrators and researchers have advised us that certain inmates—particularly those with little previous success in school—may be more successful in a half-day classroom format.

In addition, a shift to half-day programs would create greater opportunities for inmates to receive other program and treatment services during the day necessary to further their rehabilitation. For high-risk offenders who have multiple risk factors for reoffending, a switch to half-day programs would allow them to participate in multiple programs, such as education programs during one-half of the day and some other type of program—such as substance abuse treatment—during the other half of the day.

Program effectiveness could also be improved because our proposal provides more flexibility to correctional instructors to tailor their efforts to the needs of the students. For example, a current full-day class with a mix of students with ninth through twelfth grade skills could be divided into two, half-day classes. One class could have students with ninth and tenth graders, and the other could have eleventh and twelfth graders, thereby allowing teachers to narrow and target the scope of instruction in each class to the different needs of the students.

Moreover, operating two sessions each day would improve program effectiveness by allowing the department to convert bridging programs to traditional classroom programs in prisons where space is available. While neither CDCR's classroom academic nor its bridging programs

have been evaluated for effectiveness, the more intensive classroom programs are likely to be more effective for two reasons. First, CDCR classroom education programs are accredited while the bridging program is not. Second, half-day classroom programs are likely to provide inmates with more interaction time with the teacher. Typically, bridging teachers spend only about one hour each week with each student.

Greater Incentive for Inmate Participation.

Finally, splitting education programs into half-day sessions could indirectly provide a greater incentive for inmates to participate in education programs. Some inmates who now decline education programs because they prefer to work in a prison job that provides pay now could do both on a half-day basis. Not all inmates who now have prison jobs are likely to want to go to school part-time due to the loss of current income. However, the ability to balance education and income may entice more inmates to participate in education programs—especially if they are rewarded with higher pay, as we have proposed, as they complete educational programs.

Addressing Potential Concerns With Half-Day Programs. Our proposal for half-day classes has some limitations. First, it would not completely solve CDCR's current shortage of education program capacity. Even with our proposal, there would be program capacity for only a minority of inmates with reading abilities less than ninth grade. However, the correctional education system as a whole would be a step closer to meeting the educational needs of inmates.

Second, a move to half-day programs could slow the academic progress of inmates who could advance more quickly under full-day instruction. Accordingly, our proposal would allow inmates who want or need to participate

in full-day education programs (perhaps to earn their GED before their parole release date) to do so. Alternatively, there may be opportunities to utilize other resources, such as peer tutors or voluntary evening classes, to assist inmates without taking up a classroom for a full day.

Third, half-day classes could affect prison operations. Because of their commitment to half-day education programs, two inmates in some instances might now work a half-day shift where a single inmate currently works a full-day shift. This would require custody staff to manage more frequent movement of inmates than is currently done. However, this generally should not require additional resources for security, because prisons are already budgeted for the custody staff needed to manage inmate movements several times during the typical prison day. In fact, we found that CDCR is effectively operating some of its nontraditional academic education programs as half-day classroom programs without requiring additional custody supervision.

Partner With PIA to Build Program Space

As discussed above, a lack of available classroom space is frequently a barrier to providing education programs within prison walls. In the future, should the Legislature decide to expand the capacity of prison education programs, it will likely need to address the lack of available classroom space in the prisons. One option the Legislature may wish to consider is meeting these space needs with modular education buildings purchased from PIA.

Recently, PIA created a new industry program that constructs modular buildings that can be used for various purposes, including program staff offices and treatment space. These buildings are designed to be more durable than typical

modular construction and should last at least 30 years, according to PIA officials. There are several potential advantages. The PIA modulars could probably be constructed more quickly than permanent classroom space. They are no more expensive—and in some cases might be less expensive—than permanent facilities. Buying PIA modulars would also provide an opportunity to expand a PIA program that appears to provide significant training and skills for the inmates who would build and install the modulars. To the extent that these PIA programs are effective vocational training programs for inmates, there could be long-term savings from reduced recidivism that could fully or at least partially offset the construction costs.

Other Opportunities to Expand Education Programs

There are several additional options the Legislature may wish to consider to increase the availability of education programs at state prisons. These include inaugurating evening classes for inmates, partnering with local colleges to provide advanced instruction, partnering with businesses and unions to expand vocational training, and hiring inmates as student aides to provide additional instructional support. While some of these steps could possibly be enacted in the near term, it would still be important to ensure that the department had taken steps to address the structural problems discussed above. Otherwise, any state investment in these expansions could suffer from the same problems. In the longer term, if these approaches were successfully implemented, the savings generated from reduced recidivism could fully or at least partially offset the program costs. We describe each of these options in more detail below.

Evening and Weekend Education Classes.

Currently, most prison education programs operate during normal daytime hours similar to public schools. This means that the existing program space used to hold classes is often empty the rest of the day. This space could instead be used for additional classes in the evenings, avoiding, or at least reducing, the facilities costs that could otherwise result from a future expansion of education programs. This approach would require additional funding for education staff, as well as possibly some additional custody staff for security support. In addition, it would provide inmates who have prison jobs or other assignments during the day an opportunity they would not have otherwise to participate in education programs. Similarly, it may make sense to provide weekend education programs for the same reasons.

Partnerships With Colleges. In recent years, some prisons have partnered with local universities and community colleges to offer college courses to inmates. For example, Patten University (Oakland) holds nightly college classes at the San Quentin state prison. Instructors are university volunteers, with the university's costs covered through private grant funding. State costs for this program are minimal. Similarly, two state prisons in Blythe partnered with Palo Verde Community College to provide college courses, and, as a result, 98 inmates earned Associate of Arts or Associate of Science degrees in June 2007. The department should explore the possibility of creating similar low-cost partnerships at other prisons to expand education services.

Partnerships With Businesses and Unions. Another potential strategy to improve capacity and improve educational outcomes for inmates would be partnerships between CDCR and businesses and unions for sponsorship of vocational

programs. These partnerships could involve the state's development of vocational programs that train inmates in a particular trade in exchange for an agreement by the partnering business or union to hire successful participants. For example, PIA has already established such a program for carpentry at Folsom State Prison. Inmates who complete the program are eligible to enter the local union's apprenticeship program upon their release from prison. This new program has not been evaluated for its effectiveness in obtaining post-release employment for offenders or reducing recidivism, but offers a promising approach that could likely be replicated at other prisons and for other industries.

Expanded Use of Student Aides. Currently, prisons sometimes use inmates as student aides to assist teachers and program participants. Use of student aides can be particularly beneficial in the prison setting because many students in the

same class are often at different phases of their education. Teachers can use student aides to assist with administrative work and to provide the more individualized assistance needed in such a setting for successful educational outcomes. Our analysis suggests that this approach could be used more broadly and consistently, however. The CDCR reports that it has no statewide standardized process for selecting or paying student aides. Some institutions arbitrarily assign inmates to these assignments rather than selecting the most qualified inmate. The pay level for student aides can vary among institutions, and in some cases, inmates are unpaid volunteers. To help ensure the effective use of student aides in prisons, the Legislature may wish to direct CDCR to begin to investigate the feasibility of expanding their use, including developing standardized policies regarding their selection and pay levels.

CONCLUSION

Summary of LAO Findings and Recommendations. The state's provision of inmate education programs falls short of maximizing its potential to reach the offenders who would potentially benefit. This is both because the current capacity of the programs is low relative to the population that would benefit, as well as because the department faces structural barriers in carrying out its education programs.

Based on these findings, we recommend strategies to strengthen inmate education programs and, we believe, ultimately improve public safety by reducing inmate recidivism rates. The first steps the state should take are to address the structural barriers to effective programming, including actions to increase attendance rates for

already enrolled inmates, improve case management, and develop program evaluation tools. More specifically, we recommend that the state fund education programs on an ADA basis, address barriers that cause teacher vacancies, limit the negative effects of prison lockdowns, create stronger incentives for inmate participation and educational advancement, and develop an education IT system. A number of actions can be implemented immediately and at little or no net cost to the state beyond the existing funding commitments the Legislature has already made.

After CDCR has demonstrated progress in fixing the structure of its existing education programs, the Legislature may wish to consider new ways to further expand inmate educational

opportunities. This could include implementing half-day, evening, and weekend educational programs, as well as partnering with colleges, businesses, and unions to provide new training and education opportunities.

The Broader Implications of Our Findings and Recommendations. The findings identified in this report suggest two additional things of some importance. First, some steps aimed at improving the operation of prison education programs—such as reducing lockdowns and improving case management—may have ancillary benefits to other programs—such as substance abuse and mental health treatment—

to the extent that those programs are adversely affected by the problems identified in this report. Second, some steps to improve prison education programs—such as designing policies and IT systems to improve program evaluation—may be more broadly successful if they also incorporate other rehabilitation programs. Therefore, while this report has focused exclusively on education programs, it will be important for the Legislature and administration to consider how efforts to improve education programs might also be able to incorporate efforts to improve evidence-based prison rehabilitation programs generally.



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Inmate education increase urged by report

Legislative Analyst's Office says boosting classes saves money.

By Andy Furillo - afurillo@sacbee.com

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If California wants to save money, it would enroll a lot more prisoners in inmate education programs than it currently does, the Legislative Analyst's Office said in a report Tuesday.

Only 54,000 of the prison system's 170,000 inmates attend academic, vocational, industries or independent study programs, the LAO said, even though 75 percent of its population reads at the high school level.

Numerous studies show that recidivism decreases when education increases, and that savings can reach as much as \$14,000 per inmate-turned-productive citizen. The analyst's 32-page report laid out a six-point plan to get more cons into class.

Among the suggestions: increase visiting hours, sentencing time credits and other incentives for inmates who complete school programs; fill teacher vacancies; get more prisoners into classrooms even when their housing units are locked down due to violent disturbances.

LAO criminal justice analyst Brian Brown said the Legislature and the Department of Corrections and Rehabilitation have made "new commitments" to step up inmate educational programs, that cost \$202 million in fiscal 2006-07.

Brown said only 40 percent of the enrolled inmates attend classes on any given day. To make the funding more efficient, Brown said it should be allocated based on average daily attendance, like they do in the public schools.

"The idea there is that these programs are being underutilized and there needs to be an incentive for the department to get inmates into class on a daily basis and address those sorts of problems leading to low attendance rates," Brown said in an interview.

Corrections spokesman Oscar Hidalgo said "I don't think we disagree fundamentally" with the LAO's findings. He said the prison system's rehabilitation "strike team" is pushing to enroll 75 percent of its inmates into education programs this year.

One key goal, Hidalgo said, is get more inmates to class during lockdowns. There were nearly 600 lockdowns between April and December of 2006, according to the LAO report.

"We're asking wardens to look at why facilities are locked down, to look at the inmates who

may be the cause of those lockdowns and make sure those inmates are segregated from those who want to program," Hidalgo said.

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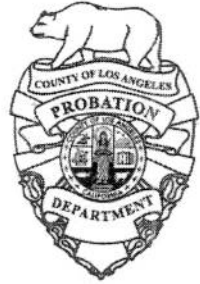


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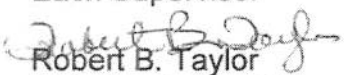
COUNTY OF LOS ANGELES PROBATION DEPARTMENT

9150 EAST IMPERIAL HIGHWAY — DOWNEY, CALIFORNIA 90242

(562) 940-2501



April 18, 2008

TO: Each Supervisor
FROM: 
Robert B. Taylor
Chief Probation Officer

SUBJECT: **DEVELOPMENT OF COMPREHENSIVE EDUCATION REFORM PLAN
FOR JUVENILE HALLS & CAMPS – FIFTH PROGRESS REPORT**

Pursuant to your Board's June 19, 2007 instruction, this is our fifth 60-day progress report covering mid-February 2008 through mid-April 2008, regarding the development of a comprehensive plan to dramatically reform education programs in the County's juvenile halls and probation camps.

We continue to work on this endeavor with the Los Angeles County Office of Education and representatives from the various departments and other agencies identified by your Board including additional key stakeholders from other departments and agencies that we deemed appropriate and that expressed an interest in this effort, who also comprise the Comprehensive Education Reform Committee.

This progress report provides an overview of the Committee's work and presentations to key stakeholders during this period. In addition, an update on the draft recommendations is provided as well as the identification by the Probation Department of two proposed immediate steps necessary to move towards preparation of potential implementation of the recommendations. The Committee's final draft report and preliminary implementation action plan are under review by the Chief Executive Office as it is my desire that these be presented to your Board in May 2008.

PROGRESS STATUS OVERVIEW

During this reporting period, I chaired three Committee meetings, for a total of 15 Committee meetings held thus far. These Committee meetings continue to create constructive, open discussions regarding ways to improve the educational services that we provide to the minors in our juvenile camps and halls.

In getting closer to finalizing the report and preliminary draft implementation action plan for presentation to your Board, Committee participants concur that there would be value to continued periodic work group meetings of the Committee to advise the Los Angeles County Superintendent of Schools, any other education service providers, and me on improving the delivery of education services to youth in juvenile halls and camps. We believe this will assist the agencies in moving towards effective implementation of the recommendations, if approved by your Board.

13th, 14th & 15th COMMITTEE MEETING HIGHLIGHTS

On February 28, March 13, and April 10, we held our 13th, 14th, and 15th Committee meetings, respectively, to primarily discuss two additional draft versions of the report including the proposed recommendations as well as the development of our draft implementation action plan. On April 14th, we received revised recommendations from LACOE and have been discussing their proposed changes with LACOE representatives. As indicated above, the Committee's final draft report and preliminary implementation action plan are under review by the Chief Executive Office as it is my desire that the report be presented to your Board in May 2008.

OVERVIEW OF PRESENTATIONS TO KEY STAKEHOLDERS & THEIR INPUT

As indicated below, during this reporting period, I provided presentations to the following stakeholders to acquire their input:

- On February 13th and 27th and March 12th, I met with the Probation Commission to discuss key issues and recommendations in the draft report.
- On March 17, 2008, we held our Second Community Corrections Collaborative Conference, where we shared our vision of comprehensive educational reform in the juvenile halls and camps with our juvenile justice partners and provided them with an opportunity to raise questions about the draft report; about 40% of the questions raised were about educational reform. Attached is a list of the questions and our responses. The responses to these questions about comprehensive educational reform, along with the others raised, will be sent to Conference participants.

UPDATE OF DRAFT RECOMMENDATIONS

Currently, there is consensus on more than 30 of the 39 recommendations developed by the Committee in the areas of educational responsibilities, educational assessments and case planning, instructional programs and delivery, special education, EBP and other programming for during/after school hours and on weekends, educational facilities, classroom space, staffing and funding, and quality assurance and program evaluation.

Representatives of LACOE and Probation are reviewing and drafting language to consolidate existing memoranda of understanding (MOU) between our two agencies into one agreement that reflects the recommendations in the draft report; they are also developing a "report card" that can be used to inform your Board and the Los Angeles County Board of Education of our quarterly progress on implementation of the recommendations. The MOU will include:

- 1) How the necessary reforms will be made;
- 2) Target implementation dates;
- 3) Who will be responsible for carrying them out; and
- 4) How the results will be measured.

PROPOSED IMMEDIATE STEPS

From the Probation Department's perspective and consistent with the Committee's recommendations and preliminary action plan, two immediate steps will need the CEO's and your Board's review and financial support to effectively proceed with this effort as follows:

- 1) Ordinance authority to recruit and hire one Senior Probation Director (S12) or a County position at this Management Appraisal and Performance Plan Tier II level to function as a Director of School Services who reports to the Chief Probation Officer to serve as the Department's chief academic officer for the schools within the juvenile halls and camps, and who works collaboratively with LACOE's Superintendent and senior leadership and any other educational service providers to promote a sense of teamwork and meaningful delivery of educational services to youth at juvenile halls and camps, along with a Senior Secretary III and Program Analyst, Probation position to support this function; and
- 2) Approval of a sole source contract with The Resources Company (TRC) to include the provision of additional technical services needed to complete the education reform initiative, which entails not only the current preparation of a comprehensive education reform implementation action plan but the ensuing and critical need for the development of an ongoing evaluation and accountability process to ensure the appropriate diagnosis and prescriptive interventions are delivered to ensure appropriate options are available to minors to best meet their needs. The Probation Department believes contracting with TRC would be in the County's best interest as there would be an excessive learning curve if a new service provider were obtained, and there would also be administrative cost savings as a result of not initiating and concluding a request for proposals process. In addition, conducting a new competitive solicitation process is estimated to take the Probation Department from 6 to 12 months, which could hinder the current project's

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momentum and dash the hopes and desires of the many key stakeholders that have been involved in this endeavor.

Please contact me if you have any questions or require additional information, or your staff may contact David M. Davies, Chief Deputy, Probation at (562) 940-2511.

RBT:dn

Attachment

c: Michael Nash, Presiding Judge, Juvenile Court
William T Fujioka, Chief Executive Officer
Doyle Campbell, Deputy Chief Executive Officer
Sachi A. Hamai, Executive Officer, Board of Supervisors
Raymond G. Fortner, Jr., County Counsel
Dr. Darline P. Robles, Superintendent, Los Angeles County Office of Education
Rudell S. Freer, President, Los Angeles County Board of Education
Clay Hollopeter, President, Probation Commission
Margaret Todd, County Librarian
Dr. Marvin J. Southard, Director, Department of Mental Health
Cheryl Mendoza, Executive Director, Children's Planning Council
Jose Huizar, Chair, Los Angeles County Education Coordinating Council
Trish Ploehn, Director, Department of Children and Family Services
Nikki C. Friedman, Chair, Los Angeles County Civil Grand Jury
Education & Justice Deputies
Judy Hammond, Public Information Officer

**LOS ANGELES COUNTY PROBATION DEPARTMENT
EXCERPT FROM RESPONSES TO WRITTEN QUESTIONS
RECEIVED AT MARCH 17, 2008
COMMUNITY CORRECTIONS COLLABORATIVE CONFERENCE II**

STRATEGIC FOCUS: COMPREHENSIVE EDUCATION REFORM

1. **Does the Probation Department have the necessary support to implement comprehensive educational reform?** During the past 2-3 months, the Chief Probation Officer has been vetting the draft report with various stakeholder bodies (CPC, ECC, Probation staff, Probation Commission, LACOE Board, CEO's Office, etc.) to build a consensus for implementing the 35 recommendations other than the 4 governance recommendations (which require additional political support).
2. **Does Probation have the staff capacity to fully implement comprehensive educational reform recommendations?** The Department will need 3 personnel items to implement the 35 recommendations and monitor the comprehensive educational reform: a Director of School Services (S-14 position), a Program Assistant, and a Secretary III. The Department is also asking for interim consulting services from The Resources Company to support initial implementation of the recommendations.
3. **What is the status of charter schools in camps?** The Probation Department has outlined a preliminary plan for the development of a charter school for juvenile girls at Camps Scott and Scudder. If the Board approves experimenting with educational alternatives such as pilot schools, the Department plans to join the California Charter Schools Association and the Charter School Development Center, so that the Department can obtain technical assistance available from the Association to continue development of the charter school proposal for girls (as well as a comparable charter school for boys in one of the other probation camps).
4. **What are the timelines for educational reform, what will it cost, and where will the funding come from in light of the State budget mess?** The Probation Department has developed a 15-month action plan to implement the 35 recommendations in the report (this does include complete implementation of the proposed educational alternatives). The Probation Department plans to implement the recommendations under its responsibility with the three new proposed staff and existing resources.
5. **How will the Department overcome obstacles to implementation of charter schools?** The primary opposition is likely to come from LACEA, whose members would oppose non-LACEA members teaching in the juvenile halls or camps, particularly at a time when teachers have been receiving pink slips due to the State budget cuts. Probation intends to emphasize that the Department is contemplating 1 or 2 pilot projects that will have a very limited impact on LACOE staffing in the juvenile halls or camps.

6. **How will LACOE and charter schools ensure that minors get appropriate classes to graduate?** It is important to point out that not all camp youth will graduate before they leave camp. Probation wants to link a charter school(s) in a camp(s) with charter schools in one or more communities to which many of the camp youth will return.
7. **What have LAUSD and other school districts done to help provide education records of probation youth?** About 8 months ago, LACOE and LAUSD completed a pilot project to implement an electronic data exchange of education records between the two agencies. Probation and LACOE staff are also meeting to determine how Probation can get the necessary educational outcomes and performance indicator data for the Department's Dashboard reporting system.
8. **How will the Department evaluate and report progress on implementation of comprehensive educational reform?** The Department is proposing to develop and execute a new Probation – LACOE memorandum of understanding (MOU) that would establish responsibility and accountability for implementing all educational reform recommendations. Among other things, the proposed MOU would call for a quarterly review of MOU adherence by both Probation and LACOE as well as an annual update of the portion of Probation's strategic plan related to comprehensive educational reform.
9. **How much emphasis should be placed on major educational reforms in the halls due to the short stays there?** Probation plans to initially focus implementation of comprehensive educational reform in the juvenile camps and the Barry J. Nidorf "compound." However, as part of the monthly and quarterly QA processes, Probation and LACOE can identify reforms that can be implemented in the other juvenile halls and camps, as well.
10. **How can CBOs help implement comprehensive educational reform?** At this point, the Probation Department is looking for 2 types of implementation support from CBOs: (a) training youth and emerging adults in parenting skills; training parents/caregivers in adjudication, school enrollment, assessments, detention and release processes; training probation officers in youth advocacy, in general, and special education, in particular; and train teachers in use of interactive educational technologies and (b) identifying, developing, and implementing opportunities to provide career technical education/vocational education (CTE/VE) services in camps and in the community. The Department is already partnering with LA Works to do the latter at 3 eastern camps (Afflerbaugh, Paige and Rockey) and with the Public Defender's Office at Camp Fred Miller in the Malibu area and Camps Scott and Scudder in the Santa Clarita area. Probation has been partnering with New Roads and a number of other CBOs in Camp David Gonzales for 6-7 years.
11. **Can you please indicate Probation's thinking about the role of the arts as a vital component of education?** The arts are a key part of educational enrichment in the camps and the community. However, as with any other camp activities,

Probation's first priority is addressing the criminogenic, educational, and mental health needs of camp youth in order to reduce the likelihood of their return to camp.

12. **Is funding available for educational supplies and transportation for emerging adults?** School districts are eligible for ADA funding for education of emerging adults that do not have high school diplomas. The Department would have to secure grant or general funds to pay for transportation.
13. **What has been done to ensure the sharing of information among Probation, LACOE, CBOs, etc. in order to have all available information needed to provide appropriate services?** Probation is establishing a strategic planning work group on EBP programming to focus on assessments and case management processes (as well as EBP staff skills and interventions training). Probation is also seeking Board approval of additional funding to enhance its Probation Case Management System (PCMS) to capture and report the key health, mental health, and educational data and information that are essential to an integrated case plan for providing appropriate services to probation youth.
14. **When assessing for educational needs, how can we integrate the information that will follow the minor without causing adverse effects for public schools?** The Comprehensive Education Reform report has a recommendation (#17) that calls for the Department to develop and implement a process for the Camp Assessment Unit to provide feedback to LACOE and applicable school districts regarding the results of comprehensive assessments of youth detained in juvenile hall or ordered to camp, so that such organizations can reexamine and improve their own processes for assessing the health, mental health and educational needs (including specific learning disabilities and other special education needs) of their students.
15. **How do we set up a system with staff in juvenile halls that takes safety into consideration, but doesn't use loss of educational privileges as a consequence of "bad" behavior?** The Department is training all camp staff in Core Correctional Practices that, among other things, covers effective use of authority, appropriate modeling/reinforcement, and problem solving. The Comprehensive Education Reform report has a recommendation (#24) that calls for the Department to ensure that educational service providers are appropriately supporting special education students with behavioral problems by (a) conducting functional analysis assessments as required by law and (b) developing positive behavioral intervention plans consistent with the Hughes Bill.
16. **Why can't target resources be rendered to parents from the outset and have parenting classes be a prerequisite to enrolling children in kindergarten (especially when so many adolescents themselves need guidance)?** The Department has expanded visiting hours at the juvenile halls to include both Saturdays and Sundays. The juvenile camps are considering doing the same thing. As part of the latter, the Department proposes to provide parenting education

during the weekends (in addition to other parenting education available in the community).

17. **How can education be integrated with other programs in juvenile halls?** Because youth, on average, are only detained in juvenile hall for 19 days, there is little EBP programming that can be accomplished during that time. Our priorities are (a) to ensure that you are attending school while they are detained in juvenile hall and (b) to conduct comprehensive assessments of criminogenic, educational, mental health and other needs of detained youth, so that needs can be addressed in camp, in suitable placement, or at home on probation.
18. **What is the plan for summer programs and activities? Does Probation intend to provide transportation support?** The Comprehensive Education Reform report has a recommendation (#26) that calls for the Department to restructure camp and classroom schedules so there is more time for (a) individual program treatment; (b) homework, tutoring, and educational enrichment; and (c) other activities (aligned with youths' individual case plans) before or after class and on weekends for the year-round schools in the juvenile halls and camps. The Department also works closely with organizations such as "It's Time for Kids" to schedule and conduct outings to theater and sports events. The Department does provide transportation support for such outings.
19. **What are Probation's plans to access MHSA funding for prevention and early intervention (PEI) services to foster youth?** Probation intends to become actively involved in the PEI planning process, so that the Department can access PEI funds that, among other things, are targeted for youth at risk of school failure and/or deeper penetration into the juvenile justice system.